

1935

May

THE POOR PULITZER PRIZE

by CLAYTON HAMILTON

The American Mercury

13112

GOLDEN LAND

by WILLIAM FAULKNER

THE TRUE STORY OF THE LUSITANIA
IN MEMORIAM: GATTI-CASAZZA
THE SAD FATE OF WORLD COMMUNISM
LOVE AFFAIR: *A STORY*
THE ROAD TO DICTATORSHIP
PERJURY IN THE COURTS
THE INSURGENT LINE-UP FOR 1936
CONTEST-CRAZY
GENESIS OF THE SOUTHERN CRACKER
HOT OIL FROM TEXAS
LYNCH HIM! *A STORY*
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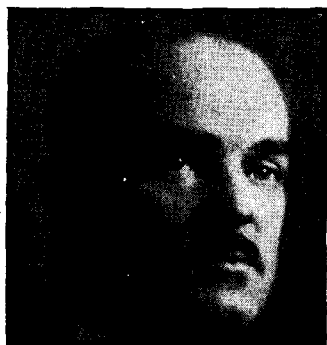
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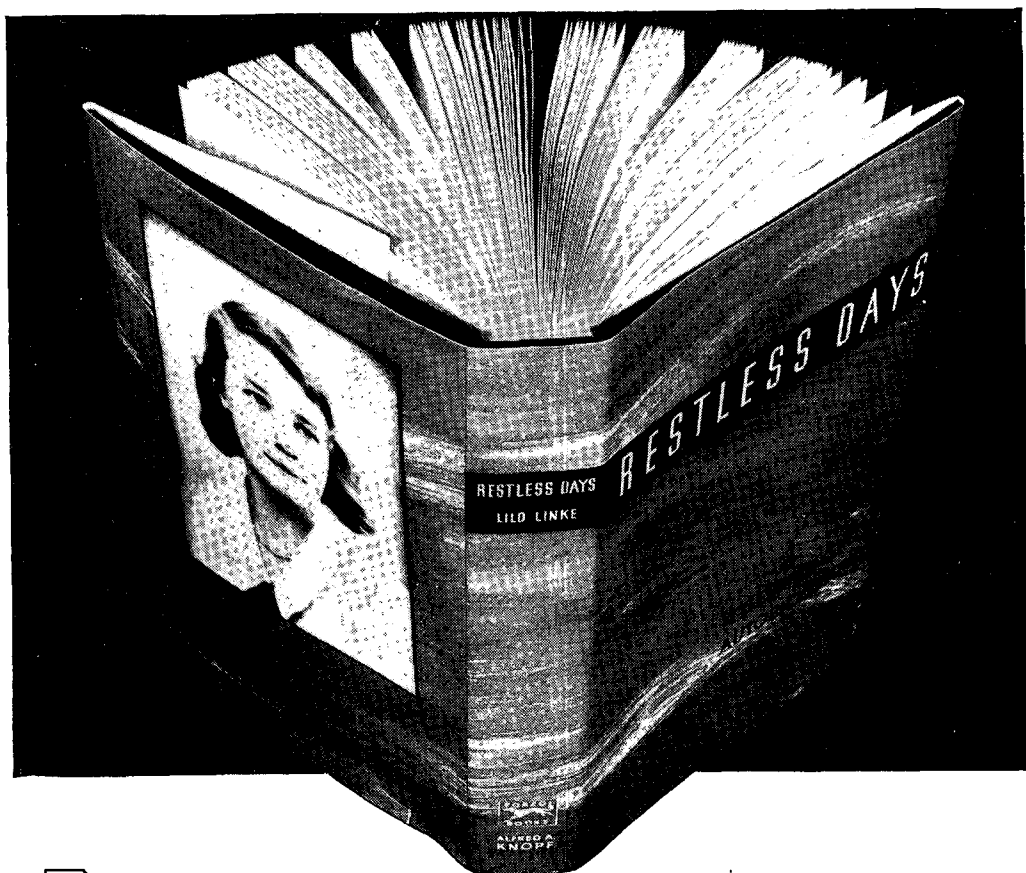
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VOLUME XXXV

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Lawrence E. Spivak, *Publisher*
Paul Palmer, *Editor*

THE NEW FICTION

BY FRANCES C. LAMONT ROBBINS

WITH his new novel, *The Poacher* (Macmillan, \$2.), the work of H. E. Bates, a young Englishman whose first books were promising, falls definitely into place with that of writers like Hudson and Williamson who are naturalists first, poets second, and novelists third. *The Poacher* is a good piece of writing. Love of the English country-side and grief at its changing are the themes which underlie the story. Luke Bishop, poacher and son of a poacher, was driven by accident into farming and came to love ploughed fields as he loved thickets and spinneys. But he could not stand the smug aspirations of his casually acquired wife and daughters, so he took to poaching again, landed in jail, and came out to find the world changed and no place in it for an honest poacher. It is a story told with sober beauty of language, and shows a greater talent for the creation of suspense and the development of action than Bates' earlier work promised. And it carries a load of dumb, universal tragedy, the sort of tragedy which is overwhelming human anachronisms everywhere, and carries it without lugubrious symbolism or any whining at all.

Long Furrows, by Dora Aydelotte (Appleton-Century, \$2.), is another country book, a quiet elegy for something which lives, now, only in the memories of the more fortunate Americans and will soon live only in books. The fragrant influence of childhoods spent on old-time farms is fading out of American life. *Long Furrows* is not a regional novel, a heavy tale of rural frustrations. There is in it no lad pining for art, no victim of incestuous passion, no maiden dying of acrid self-sacrifice; not even any tumbling in the haymow. There is only a good, happy farm family and its neighbors. There are sleigh-rides, new calves, strawberry festivals, a lynching (off-stage), a river baptism, a lonely death, large meals with seven different kinds of preserves, and, finally, a seamstress making a muslin wedding-dress. And all the people filling this scene are real people, good-humored, kindly, sober and wise. They believe in themselves, their country and God; and don't talk about it. To have grown up in such a setting is a privilege; and to have

been able to make such a setting real to readers is another privilege. Oh yes, of course, farms were not like that. The work was cruel, the food was heavy, times were oftener bad than good, and farmhouse attics were full of women gone quietly mad. But what you remember is what matters. *Long Furrows* might have been called "In loving and grateful memory."

You will certainly laugh over *National Velvet*, by Enid Bagnold (Morrow, \$2.50). I believe that laughter is not correct at present. Harsh noises may come out of twisted mouths, dirty snickers are allowed, and laughs in sleeves are inevitable, but to laugh with glee shows a spirit out of key with the times. So turn your coat collar up and pull your hat down over your eyes when you go to buy a copy of *National Velvet* (a bad title, and a worse dust-jacket). It is bourgeois — full of humor, individualists, and horses. There is a grand family in it — father, the village knacker (this is Sussex, I think); mother, a former channel-swimmer; hired man, an old hanger-on of all sports; eldest daughter, a canary fancier; youngest, a passionate hippophile; young son, the epitome of awful little boys. The story is ingenuous. Children, except those who attend progressive schools, make up such stories. A little girl loves horses, keeps paper ones in a box, and grooms and waters and exercizes them. Making friends with an amiable about-to-be suicide, she inherits his stable. She draws a piebald in a raffle and, passing as an accredited jockey, wins the Grand National with him. The fairy story ends there, and a bit of acid adult comment on notoriety, how it comes and goes, closes the book. The dialogue is superb. The fresh, tangy style carries the gay tale as smoothly as clean legs and a stout heart carry the piebald. True to life is a broader term than some folks would have you think.

A first-rate long novel in the Balzac manner, but in a translation which reads in places like an interlinear trot, is *The Iron Mother*, by Charles Braibant (translated by Vyvyan Holland; Harpers, \$2.50). Here, seen through the eyes of an observant and sympathetic first person, a story

THE AMERICAN MERCURY

of matriarchal ambition and avarice in nineteenth-century Artois unfolds. The Bertaud family has made money in land, and Marise, the matriarch, lives only to increase the fortune and heave the family up in the world. Her son is to become a provincial advocate — French peasant ideal — and a rich man. He is to let her manage everything. But in Paris he dabbles in the arts, takes a mistress, and sets up a dingy family. His dreary life plays against his mother's hard, willful one. When, at last, he is dead the grandson will do what the son did not. He is Maitre Bertaud, provincial advocate in frock coat and little beard. And mercifully he waits until the matriarch lies in her coffin to say — "Now that I am rich — I shall become a bit of a dilettante — I shall found a literary review." An ironic, basically good-tempered book, in which the piling up of detail on detail makes a little world and real people, seen, heard, and felt. The genuine narrative talent, the intelligence, and urbanity of the author are evident even in the poor translation.

Jean Rhys's *Voyage in the Dark* (Morrow, \$2.) is a touching, lyric study of a little prostitute, a half-grown girl from the West Indies lost in the English cold. Anna, example of the "acted-upon" character, drifts in a hapless fog of loneliness from the warm bliss of her childhood into the chorus of a cheap, travelling leg-show in England.

Childlike, clinging, and always cold, she falls into the first shelter and into love. The shelter is temporary. Even while it stands little Anna knows that it will go down before the first light wind of convenience or boredom. Her heart happens to be broken in the collapse, but there are other shelters. The doctor who pulls Anna together after a clumsy abortion sees them stretching ahead, more and more flimsy — "She'll be all right. Ready to start all over again in no time," hugging fur coats for sunlight. An unobtrusive use of the stream of consciousness method, a finished style which shows no bench marks, tenderness without mawkishness, and an undertone of quiet irony mark this accomplished and moving story.

Another study of character, but objectively presented, is *Twice Born*, by Rose Franken (Scribners, \$2.50). Here the dangerous theme of homosexuality is capably handled. The emotional background which seems to produce this type of abnormality is convincingly given. Garry Kaven, painfully sensitive, shocked and sickened by the commonplaces of daily life, finds his ideal of love in the relationship between his father, a disappointed pianist, and the great violinist whose accompanist he is. The father's suicide, following hard upon the violinist's death, begins for the boy a long search for the perfect relationship, a search

Continued on page vi

A 3-Way Guide: TELLS, SHOWS, EXPLAINS: SEX PRACTICE in MARRIAGE

By C. B. S. Evans, M.D., F.A.M.A., Member White House Conference, Committee on Maternal Care, Washington—Introduction by R. W. Holmes, M.D., F.A.C.S., Professor of Obstetrics, Northwestern University Medical School—Prefatory and other notes by Norman Haire, Ch.M., M.B., Specializing Obstetrician, Gynecologist and Sexologist, London, England
— and —

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By ROBERT L. DICKINSON, M.D., F.A.C.S., Senior Gynecologist and Obstetrician, Brooklyn Hospital

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- Section II. The Cold Wife—Frigidity
- Section III. The Unsatisfied Wife
- Section IV. Married Courtship
- Section V. The Perfect Physical Expression of Love
- Section VI. Illustrative Charts and Explanations

THE CHARTS

- Female Sex Organs, Side View ●
- The Internal Sex Organs ● The External Sex Organs ● Female Sex Organs, Front View ● Entrance to Female Genital Parts ● Male Sex Organs, Side View ● Male Sex Organs, Front View ● Male Reproductive Cell, Front and Side Views. (Detailed explanations accompany charts.)

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The NEW FICTION

which one cannot feel is done when the book, rather abruptly, ends. Garry's conception of friendship is potential tragedy. Women will fall in love with these tender, understanding boys, and men with gross impulses will shock them. One woman marries Garry, and at that point the novel breaks in two, and the reader's (and writer's) interest shifts to that woman and what, if anything, she can do with her husband. The shift of interest seems to me inevitable. There is no neat ending for such stories as Garry's, and they grow tiresome. Admirable characterizations and vivid scenes—the steamy *ménage à trois* which opens the book; the comfortable, hospitable Jewish parlors; the vulgar, pell-mell parties—make up a thoroughly readable book.

In *Shoulder the Sky*, by James Gray (Putnam's, \$2.), a muddling young couple, a doctor, and his wife (not the Kennicotts), in a middle-western town, torture themselves to very little purpose through many competently written pages in which an O'Neillish type of soliloquy is interspersed with realistic dialogue. The varied people and happenings of a small city today expand a story of limited interest into a readable novel. But I do not know what the barrier was which lay like a naked sword between the married pair. Such commonplaces as an unready bride, or an unskillful lover, would not have done for these young Freudians. I suspect a lack of humor. The moral which this tale seems to point — sauce for the goose is sauce for the gander — is a doubtful one.

Elizabeth Maddox Roberts is a highly gifted and accomplished writer whose chaste lyrical prose is a dependable joy. However, in *He Sent Forth a Raven* (Viking, \$2.50), the mystic in her has so weighted down her tale with hidden meanings that it becomes ineffective and nearly incomprehensible. Noah, one may suppose, is Stoner Drake, bluegrass farmer who, when his second wife dies, makes a vow never to set foot on green earth again. From his old house-ark, running a great farm by horn calls from a balcony, he sends out the raven of his mind. Is that it? Or is Martha the raven, his daughter, brow-beaten into a bitter, wooden old maid? Jocelle, the grandchild, whose story is more interesting than his own, must be the dove, for with her lover she brings back, finally, the small green sprig of life. The novel, burdened

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by symbolism, is of atmosphere rather than character and action. Events have blurred outlines, and bodies move in a mist. Miss Roberts' tendency toward preciosity is no longer a tendency. There are lovely scenes — as of the child, Jocelle, imagining geography, her grandfather helping — and there are many pages of fine prose, exact and perfect words, perfectly used. But the labor shows through the finished product; the Kentucky setting becomes an excuse for phraseology a little too quaint. The dish lacks salt. One wonders if perhaps Miss Roberts has taken a vow not to set foot on green earth again.

If symbolism weighs down a finished talent what will it not do to a raw one? The publishers of Susan Miles' *Blind Men Crossing a Bridge* (Stokes, \$2.50) murmur of Hardy, Blackmore, Emily Brontë, and what have you. We have such purple passages of D. H. Lawrence as make one momentarily forget the beauties of *Twilight in Italy* and ask who called this *Son of Woman* a stylist. To catch a theme and hold it, as Susan Miles does, for eight hundred and fifty-three pages is an achievement. Moreover, the theme is everlastingly good — the generations pass; family

Continued in back advertising section, page xiii

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Copies distributed free	1,739
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LAWRENCE E. SPIVAK

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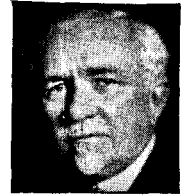
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The American MERCURY

GOLDEN LAND

A Story

BY WILLIAM FAULKNER

IF HE had been thirty, he would not have needed the two aspirin tablets and the half glass of raw gin before he could bear the shower's needling on his body and steady his hands to shave. But then when he had been thirty neither could he have afforded to drink as much each evening as he now drank; certainly he would not have done it in the company of the men and the women in which, at forty-eight, he did each evening, even though knowing during the very final hours filled with the breaking of glass and the shrill cries of drunken women above the drums and saxophones—the hours during which he carried a little better than his weight both in the amount of liquor consumed and in the number and sum of checks paid—that six or eight hours later he would rouse from what had not been sleep at all but instead that dreamless stupefaction of alcohol out of which last night's turgid and licensed uproar would die, as though without any interval for rest or recuperation, into the familiar shape of his bedroom—the bed's foot silhouetted by the morning light which entered the bougainvillaeabound windows beyond which his painful and almost un-

bearable eyes could see the view which might be called the monument to almost twenty-five years of industry and desire, of shrewdness and luck and even fortitude—the opposite canyonflank dotted with the white villas halfhidden in imported olive groves or friezed by the sombre spaced columns of cypress like the façades of eastern temples, whose owners' names and faces and even voices were glib and familiar in back corners of the United States and of America and of the world where those of Einstein and Rousseau and Esculapius had never sounded.

He didn't waken sick. He never wakened ill nor became ill from drinking, not only because he had drunk too long and too steadily for that, but because he was too tough even after the thirty soft years; he came from too tough stock on that day thirty-four years ago when at fourteen he had fled, on the brakebeam of a westbound freight, the little lost Nebraska town named for, permeated with, his father's history and existence—a town to be sure, but only in the sense that any shadow is larger than the object which casts it. It was still frontier even as he remembered it at five and six—the projected

I

and increased shadow of a small outpost of sodroofed dugouts on the immense desolation of the plains where his father, Ira Ewing too, had been first to essay to wring wheat during the six days between those when, outdoors in spring and summer and in the fetid halfdark of a snow-bound dugout in the winter and fall, he preached. The second Ira Ewing had come a long way since then, from that barren and treeless village which he had fled by a night freight to where he now lay in a hundred thousand dollar house, waiting until he knew that he could rise and go to the bath and put the two aspirin tablets into his mouth. They—his mother and father—had tried to explain it to him—something about fortitude, the will to endure. At fourteen he could neither answer them with logic and reason nor explain what he wanted: he could only flee. Nor was he fleeing his father's harshness and wrath. He was fleeing the scene itself—the treeless immensity in the lost center of which he seemed to see the sum of his father's and mother's dead youth and bartered lives as a tiny forlorn spot which nature permitted to green into brief and niggard wheat for a season's moment before blotting it all with the primal and invincible snow as though (not even promise, not even threat) in grim and almost playful augury of the final doom of all life. And it was not even this that he was fleeing because he was not fleeing: it was only that absence, removal, was the only argument which fourteen knew how to employ against adults with any hope of success. He spent the next ten years half tramp half casual laborer as he drifted down the Pacific Coast to Los Angeles; at thirty he was married, to a Los Angeles girl, daughter of a carpenter, and father of a son and a daughter and with a foothold in real estate; at forty-

eight he spent fifty thousand dollars a year, owning a business which he had built up unaided and preserved intact through nineteen-twenty-nine; he had given to his children luxuries and advantages which his own father not only could not have conceived in fact but would have condemned completely in theory—as it proved, as the paper which the Filipino chauffeur, who each morning carried him into the house and undressed him and put him to bed, had removed from the pocket of his topcoat and laid on the reading table proved, with reason. On the death of his father twenty years ago he had returned to Nebraska, for the first time, and fetched his mother back with him, and she was now established in a home of her own only the less sumptuous because she refused (with a kind of abashed and thoughtful unshakability which he did not remark) anything finer or more elaborate. It was the house in which they had all lived at first, though he and his wife and children had moved within the year. Three years ago they had moved again, into the house where he now waked in a select residential section of Beverley Hills, but not once in the nineteen years had he failed to stop (not even during the last five, when to move at all in the mornings required a terrific drain on that character or strength which the elder Ira had bequeathed him, which had enabled the other Ira to pause on the Nebraska plain and dig a hole for his wife to bear children in while he planted wheat) on his way to the office (twenty miles out of his way to the office) and spend ten minutes with her. She lived in as complete physical ease and peace as he could devise. He had arranged her affairs so that she did not even need to bother with money, cash, in order to live; he had arranged credit for her with a neighboring

market and butcher so that the Japanese gardener who came each day to water and tend the flowers could do her shopping for her; she never even saw the bills. And the only reason she had no servant was that even at seventy she apparently clung stubbornly to the old habit of doing her own cooking and housework. So it would seem that he had been right. Perhaps there were times when, lying in bed like this and waiting for the will to rise and take the aspirin and the gin (mornings perhaps following evenings when he had drunk more than ordinarily and when even the six or seven hours of oblivion had not been sufficient to enable him to distinguish between reality and illusion) something of the old strong harsh Campbellite blood which the elder Ira must have bequeathed him might have caused him to see or feel or imagine his father looking down from somewhere upon him, the prodigal, and what he had accomplished. If this were so, then surely the elder Ira, looking down for the last two mornings upon the two tabloid papers which the Filipino removed from his master's topcoat and laid on the reading table, might have taken advantage of that old blood and taken his revenge, not just for that afternoon thirty-four years ago but for the entire thirty-four years.

When he gathered himself, his will, his body, at last and rose from the bed he struck the paper so that it fell to the floor and lay open at his feet, but he did not look at it. He just stood so, tall, in silk pajamas, thin where his father had been gaunt with the years of hard work and unceasing struggle with the unpredictable and implacable earth (even now, despite the life which he had led, he had very little paunch) looking at nothing while at his feet the black headline flared above the row of five or six tabloid photographs

from which his daughter alternately stared back or flaunted long pale shins: APRIL LALEAR BARES ORGY SECRETS. When he moved at last he stepped on the paper, walking on his bare feet into the bath; now it was his trembling and jerking hands that he watched as he shook the two tablets onto the glass shelf and set the tumbler into the rack and unstopped the gin bottle and braced his knuckles against the wall in order to pour into the tumbler. But he did not look at the paper, not even when, shaved, he reentered the bedroom and went to the bed beside which his slippers sat and shoved the paper aside with his foot in order to step into them. Perhaps, doubtless, he did not need to. The trial was but entering its third tabloidal day now, and so for two days his daughter's face had sprung out at him, hard blonde and inscrutable, from every paper he opened; doubtless he had never forgot her while he slept even, that he had waked into thinking about remembering her as he had waked into the dying drunken uproar of the evening eight hours behind him without any interval between for rest or forgetting.

Nevertheless as, dressed, in a burnt orange turtleneck sweater beneath his gray flannels, he descended the Spanish staircase, he was outwardly calm and possessed. The delicate iron balustrade and the marble steps coiled down to the tile-floored and barnlike living room beyond which he could hear his wife and son talking on the breakfast terrace. The son's name was Voyd. He and his wife had named the two children by what might have been called mutual contemptuous armistice—his wife called the boy Voyd, for what reason he never knew; he in his turn named the girl (the child whose woman's face had met him from every paper he touched for two days now be-

neath or above the name, April Lalear) Samantha, after his own mother. He could hear them talking—the wife between whom and himself there had been nothing save civility, and not always a great deal of that, for ten years now; and the son who one afternoon two years ago had been delivered at the door drunk and insensible by a car whose occupants he did not see and, it devolving upon him to undress the son and put him to bed, whom he discovered to be wearing, in place of underclothes, a woman's brassiere and step-ins. A few minutes later, hearing the blows perhaps, Voyd's mother ran in and found her husband beating the still unconscious son with a series of towels which a servant was steeping in rotation in a basin of ice-water. He was beating the son hard, with grim and deliberate fury. Whether he was trying to sober the son up or was merely beating him, possibly he himself did not know. His wife though jumped to the latter conclusion. In his raging disillusionment he tried to tell her about the woman's garments but she refused to listen; she assailed him in turn with virago fury. Since that day the son had contrived to see his father only in his mother's presence (which neither the son nor the mother found very difficult, by the way) and at which times the son treated his father with a blend of cringing spite and vindictive insolence half a cat's and half a woman's.

He emerged onto the terrace; the voices ceased. The sun, strained by the vague high soft almost nebulous California haze, fell upon the terrace with a kind of treacherous unbrightness. The terrace, the sundrenched terra cotta tiles, butted into a rough and savage shear of canyonwall bare yet without dust, on or against which a solid mat of flowers bloomed in fierce lush myriad-colored paradox as though in place of being rooted into and drawing from the soil they

lived upon air alone and had been merely leaned intact against the sustenanceless lavawall by someone who would later return and take them away. The son, Voyd, apparently naked save for a pair of straw-colored shorts, his body brown with sun and scented faintly by the depilatory which he used on arms, chest and legs, lay in a wicker chair, his feet in straw beach shoes, an open newspaper across his brown legs. The paper was the highest class one of the city, yet there was a black headline across half of it too, and even without pausing, without even being aware that he had looked, Ira saw there too the name which he recognized. He went on to his place; the Filipino who put him to bed each night, in a white service jacket now, drew his chair. Beside the glass of orange juice and the waiting cup lay a neat pile of mail topped by a telegram. He sat down and took up the telegram; he had not glanced at his wife until she spoke:

"Mrs. Ewing telephoned. She says for you to stop in there on your way to town."

He stopped; his hands opening the telegram stopped. Still blinking a little against the sun he looked at the face opposite him across the table—the smooth dead makeup, the thin lips and the thin nostrils and the pale blue unforgiving eyes, the meticulous platinum hair which looked as though it had been transferred to her skull with a brush from a book of silver leaf such as windowpainters use. "What?" he said. "Telephoned? Here?"

"Why not? Have I ever objected to any of your women telephoning you here?"

The unopened telegram crumpled suddenly in his hand. "You know what I mean," he said harshly. "She never telephoned me in her life. She don't have to. Not that message. When have I ever failed to go by there on my way to town?"

"How do I know?" she said. "Or are

you the same model son you have been a husband and seem to be a father?" Her voice was not shrill yet, nor even very loud, and none could have told how fast her breathing was because she sat so still, rigid beneath the impeccable and unbelievable hair, looking at him with that pale and outraged unforgiveness. They both looked at each other across the luxurious table—the two people who at one time twenty years ago would have turned as immediately and naturally and unthinkingly to one another in trouble, who even ten years ago might have done so.

"You know what I mean," he said, harshly again, holding himself too against the trembling which he doubtless believed was from last night's drinking, from the spent alcohol. "She don't read papers. She never even sees one. Did you send it to her?"

"I?" she said. "Send what?"

"Damnation!" he cried. "A paper! Did you send it to her? Don't lie to me."

"What if I did?" she cried. "Who is she, that she must not know about it? Who is she, that you should shield her from knowing it? Did you make any effort to keep me from knowing it? Did you make any effort to keep it from happening? Why didn't you think about that all those years while you were too drunk, too besotted with drink, to know or notice or care what Samantha was—"

"Miss April Lalear of the cinema, if you please," Voyd said. They paid no attention to him; they glared at one another across the table.

"Ah," he said, quiet and rigid, his lips scarcely moving. "So I am to blame for this too, am I? I made my daughter a bitch, did I? Maybe you will tell me next that I made my son a f—"

"Stop!" she cried. She was panting now; they glared at one another across the suave

table, across the five feet of irrevocable division.

"Now, now," Voyd said. "Don't interfere with the girl's career. After all these years, when at last she seems to have found a part that she can—" He ceased; his father had turned and was looking at him. Voyd lay in his chair, looking at his father with that veiled insolence that was almost feminine. Suddenly it became completely feminine; with a muffled halfscream he swung his legs out to spring up and flee but it was too late; Ira stood above him, gripping him not by the throat but by the face with one hand, so that Voyd's mouth puckered and slobbered in his father's hard shaking hand. Then the mother sprang forward and tried to break Ira's grip but he flung her away and then caught and held her, struggling too, with the other hand when she sprang in again.

"Go on," he said. "Say it." But Voyd could say nothing because of his father's hand gripping his jaws open, or more than likely because of terror. His body was free of the chair now, writhing and thrashing while he made his slobbering moaning sound of terror while his father held him with one hand and held his screaming mother with the other one. Then Ira flung Voyd free, onto the terrace; Voyd rolled once and came onto his feet, crouching, retreating toward the French windows with one arm flung up before his face while he cursed his father. Then he was gone. Ira faced his wife, holding her quiet too at last, panting too, the skillful map of makeup standing into relief now like a paper mask trimmed smoothly and pasted onto her skull. He released her.

"You sot," she said. "You drunken sot. And yet you wonder why your children—"

"Yes," he said quietly. "All right. That's not the question. That's all done. The

question is, what to do about it. My father would have known. He did it once." He spoke in a dry light pleasant voice: so much so that she stood, panting still but quiet, watching him. "I remember. I was about ten. We had rats in the barn. We tried everything. Terriers. Poison. Then one day father said, 'Come.' We went to the barn and stopped all the cracks, the holes. Then we set fire to it. What do you think of that?" Then she was gone too. He stood for a moment, blinking a little, his eyeballs beating faintly and steadily in his skull with the impact of the soft unchanging sunlight, the fierce innocent mass of the flowers. "Philipi!" he called. The Filipino appeared, brownfaced, impassive, with a pot of hot coffee, and set it beside the empty cup and the icebedded glass of orange juice. "Get me a drink," Ira said. The Filipino glanced at him, then he became busy at the table, shifting the cup and setting the pot down and shifting the cup again while Ira watched him. "Did you hear me?" Ira said. The Filipino stood erect and looked at him.

"You told me not to give it to you until you had your orange juice and coffee."

"Will you or won't you get me a drink?" Ira shouted.

"Very good, sir," the Filipino said. He went out. Ira looked after him; this had happened before: he knew well that the brandy would not appear until he had finished the orange juice and the coffee, though just where the Filipino lurked to watch him he never knew. He sat again and opened the crumpled telegram and read it, the glass of orange juice in the other hand. It was from his secretary: **MADE SETUP BEFORE I BROKE STORY LAST NIGHT STOP THIRTY PERCENT FRONT PAGE STOP MADE APPOINTMENT FOR YOU COURTHOUSE THIS P.M. STOP**

WILL YOU COME TO OFFICE OR CALL ME. He read the telegram again, the glass of orange juice still poised. Then he put both down and rose and went and lifted the paper from the terrace where Voyd had flung it, and read the half headline: **LALEAR WOMAN DAUGHTER OF PROMINENT LOCAL FAMILY. Admits Real Name Is Samantha Ewing, Daughter of Ira Ewing, Local Realtor.** He read it quietly; he said quietly, aloud:

"It was that Jap that showed her the paper. It was that damned gardener." He returned to the table. After a while the Filipino came, with the brandy-and-soda, and wearing now a jacket of bright imitation tweed, telling him that the car was ready.

II

His mother lived in Glendale; it was the house which he had taken when he married and later bought, in which his son and daughter had been born—a bungalow in a cul-de-sac of pepper trees and flowering shrubs and vines which the Japanese tended, backed into a barren foothill combed and curried into a cypress-and-marble cemetery dramatic as a stage set and topped by an electric sign in red bulbs which, in the San Fernando valley fog, glared in broad sourceless ruby as though just beyond the crest lay not heaven but hell. The length of his sports model car in which the Filipino sat reading a paper dwarfed it. But she would have no other, just as she would have neither servant, car, nor telephone—a gaunt spare slightly stooped woman upon whom even California and ease had put no flesh, sitting in one of the chairs which she had insisted on bringing all the way from Nebraska. At first she had been content to allow the Nebraska furniture to remain

in storage, since it had not been needed (when Ira moved his wife and family out of the house and into the second one, the intermediate one, they had bought new furniture too, leaving the first house furnished complete for his mother) but one day, he could not recall just when, he discovered that she had taken the one chair out of storage and was using it in the house. Later, after he began to sense that quality of unrest in her, he had suggested that she let him clear the house of its present furniture and take all of hers out of storage but she declined, apparently preferring or desiring to leave the Nebraska furniture where it was. Sitting so, a knitted shawl about her shoulders, she looked less like she lived in or belonged to the house, the room, than the son with his beach burn and his faintly theatrical gray temples and his bright expensive suavely antiphonal garments did. She had changed hardly at all in the thirty-four years; she and the older Ira Ewing too, as the son remembered him, who, dead, had suffered as little of alteration as while he had been alive. As the sod Nebraska outpost had grown into a village and then into a town, his father's aura alone had increased, growing into the proportions of a giant who at some irrevocable yet recent time had engaged barehanded in some titanic struggle with the pitiless earth and endured and in a sense conquered—it too, like the town, a shadow out of all proportion to the gaunt gnarled figure of the actual man. And the actual woman too as the son remembered them back in that time. Two people who drank air and who required to eat and sleep as he did and who had brought him into the world, yet were strangers as though of another race, who stood side by side in an irrevocable loneliness as though strayed from another planet, not as husband and wife but as blood brother and

sister, even twins, of the same travail because they had gained a strange peace through fortitude and the will and strength to endure.

"Tell me again what it is," she said. "I'll try to understand."

"So it was Kazimura that showed you the damned paper," he said. She didn't answer this; she was not looking at him.

"You tell me she has been in the pictures before, for two years. That that was why she had to change her name, that they all have to change their names."

"Yes. They call them extra parts. For about two years, God knows why."

"And then you tell me that this—that all this was so she could get into the pictures—"

He started to speak, then he caught himself back out of some quick impatience, some impatience perhaps of grief or despair or at least rage, holding his voice, his tone, quiet: "I said that that was one possible reason. All I know is that the man has something to do with pictures, giving out the parts. And that the police caught him and Samantha and the other girl in an apartment with the doors all locked and that Samantha and the other woman were naked. They say that he was naked too and he says he was not. He says in the trial that he was framed—tricked; that they were trying to blackmail him into giving them parts in a picture; that they fooled him into coming there and arranged for the police to break in just after they had taken off their clothes; that one of them made a signal from the window. Maybe so. Or maybe they were all just having a good time and were innocently caught." Unmoving, rigid, his face broke, wrung with faint bitter smiling as though with indomitable and impassive suffering, or maybe just smiling, just rage. Still his mother did not look at him.

"But you told me she was already in the pictures. That that was why she had to change her—"

"I said, extra parts," he said. He had to catch himself again, out of his jangled and outraged nerves, back from the fierce fury of the impatience. "Can't you understand that you don't get into the pictures just by changing your name? and that you don't even stay there when you get in? that you can't even stay there by being female? that they come here in droves on every train—girls younger and prettier than Samantha and who will do anything to get into the pictures? So will she, apparently; but who know or are willing to learn to do more things than even she seems to have thought of? But let's don't talk about it. She has made her bed; all I can do is to help her up: I can't wash the sheets. Nobody can. I must go, anyway; I'm late." He rose, looking down at her. "They said you telephoned me this morning. Is this what it was?"

"No," she said. Now she looked up at him; now her gnarled hands began to pick faintly at one another. "You offered me a servant once."

"Yes. I thought fifteen years ago that you ought to have one. Have you changed your mind? Do you want me to—"

Now she stopped looking at him again, though her hands did not cease. "That was fifteen years ago. It would have cost at least five hundred dollars a year. That would be—"

He laughed, short and harsh. "I'd like to see the Los Angeles servant you could get for five hundred dollars a year. But what—" He stopped laughing, looking down at her.

"That would be at least five thousand dollars," she said.

He looked down at her. After a while he said, "Are you asking me again for

money?" She didn't answer nor move, her hands picking slowly and quietly at one another. "Ah," he said. "You want to go away. You want to run from it. So do I!" he cried, before he could catch himself this time; "so do I! But you did not choose me when you elected a child; neither did I choose my two. But I shall have to bear them and you will have to bear all of us. There is no help for it." He caught himself now, panting, quieting himself by will as when he would rise from bed, though his voice was still harsh: "Where would you go? Where would you hide from it?"

"Home," she said.

"Home?" he repeated; he repeated in a kind of amazement: "home?" before he understood. "You would go back there? with those winters, that snow and all? Why, you wouldn't live to see the first Christmas: don't you know that?" She didn't move nor look up at him. "Nonsense," he said. "This will blow over. In a month there will be two others and nobody except us will even remember it. And you don't need money. You have been asking me for money for years, but you don't need it. I had to worry about money so much at one time myself that I swore that the least I could do was to arrange your affairs so you would never even have to look at the stuff. I must go; there is something at the office today. I'll see you tomorrow."

It was already one o'clock. "Courthouse," he told the Filipino, settling back into the car. "My God, I want a drink." He rode with his eyes closed against the sun; the secretary had already sprung onto the runningboard before he realised that they had reached the courthouse. The secretary, bareheaded too, wore a jacket of authentic tweed; his turtleneck sweater was dead black, his hair was black too, varnished smooth to his skull; he spread before Ira a dummy newspaper page laid

out to embrace the blank space for the photograph beneath the caption: APRIL LALEAR'S FATHER. Beneath the space was the legend: IRA EWING, PRESIDENT OF THE EWING REALTY CO.,—WILSHIRE BOULEVARD, BEVERLEY HILLS.

"Is thirty percent all you could get?" Ira said. The secretary was young; he glared at Ira for an instant in vague impatient fury.

"Jesus, thirty percent is thirty percent. They are going to print a thousand extra copies and use our mailinglist. It will be spread all up and down the Coast and as far East as Reno. What do you want? We can't expect them to put under your picture, 'Turn to page fourteen for halfpage ad', can we?" Ira sat again with his eyes closed, waiting for his head to stop.

"All right," he said. "Are they ready now?"

"All set. You will have to go inside. They insisted it be inside, so everybody that sees it will know it is the courthouse."

"All right," Ira said. He got out; with his eyes half closed and the secretary at his elbow he mounted the steps and entered the courthouse. The reporter and the photographer were waiting but he did not see them yet; he was aware only of being enclosed in a gaping crowd which he knew would be mostly women, hearing the secretary and a policeman clearing the way in the corridor outside the courtroom door.

"This is O.K.," the secretary said. Ira stopped; the darkness was easier on his eyes though he did not open them yet; he just stood, hearing the secretary and the policeman herding the women, the faces, back; someone took him by the arm and turned him; he stood obediently; the magnesium flashed and glared, striking against his painful eyeballs like blows; he had a

vision of wan faces craned to look at him from either side of a narrow human lane; with his eyes shut tight now he turned, blundering until the reporter in charge spoke to him:

"Just a minute, chief. We better get another one just in case." This time his eyes were tightly closed; the magnesium flashed, washed over them; in a thin acrid smell of it he turned and with the secretary again at his elbow he moved blindly back and into the sunlight and into his car. He gave no order this time, he just said, "Get me a drink." He rode with his eyes closed again while the car cleared the downtown traffic and then began to move quiet, powerful and fast under him; he rode so for a long while before he felt the car swing into the palmbordered drive, slowing. It stopped; the doorman opened the door for him, speaking to him by name. The elevator boy called him by name too, stopping at the right floor without direction; he followed the corridor and knocked at a door and was fumbling for the key when the door opened upon a woman in a bathing suit beneath a loose beach cloak—a woman with treated hair also and brown eyes, who swung the door back for him to enter and then to behind him, looking at him with the quick bright faint serene smiling which only a woman nearing forty can give to a man to whom she is not married and from whom she has had no secrets physical and few mental over a long time of pleasant and absolute intimacy. She had been married though and divorced; she had a child, a daughter of fourteen, whom he was now keeping in boarding school. He looked at her, blinking, as she closed the door.

"You saw the papers," he said. She kissed him, not suddenly, without heat, in a continuation of the movement which closed the door, with a sort of warm envelopment; suddenly he cried, "I can't under-

stand it! After all the advantages that . . . after all I tried to do for them—”

“Hush,” she said. “Hush, now. Get into your trunks; I’ll have a drink ready for you when you have changed. Will you eat some lunch if I have it sent up?”

“No. I don’t want any lunch. —after all I have tried to give—”

“Hush, now. Get into your trunks while I fix you a drink. It’s going to be swell at the beach.” In the bedroom his bathing trunks and robe were laid out on the bed. He changed, hanging his suit in the closet where her clothes hung, where there hung already another suit of his and clothes for the evening. When he returned to the sitting room she had fixed the drink for him; she held the match to his cigarette and watched him sit down and take up the glass, watching him still with that serene impersonal smiling. Now he watched her slip off the cape and kneel at the cellarette, filling a silver flask, in the bathing costume of the moment, such as ten thousand wax female dummies wore in ten thousand shop windows that summer, such as a hundred thousand young girls wore on California beaches; he looked at her, kneeling—back, buttocks and flanks trim enough, even firm enough (so firm in fact as to be a little on the muscular side, what with unremitting and perhaps even rigorous care) but still those of forty. But I don’t want a young girl, he thought. Would to God that all young girls, all young female flesh, were removed, blasted even, from the earth. He finished the drink before she had filled the flask.

“I want another one,” he said.

“All right,” she said. “As soon as we get to the beach.”

“No. Now.”

“Let’s go on to the beach first. It’s almost three o’clock. Won’t that be better?”

“Just so you are not trying to tell me I

can’t have another drink now.”

“Of course not,” she said, slipping the flask into the cape’s pocket and looking at him again with that warm, faint, inscrutable smiling. “I just want to have a dip before the water gets too cold.” They went down to the car; the Filipino knew this too: he held the door for her to slip under the wheel, then he got himself into the back. The car moved on; she drove well. “Why not lean back and shut your eyes,” she told Ira, “and rest until we get to the beach? Then we will have a dip and a drink.”

“I don’t want to rest,” he said. “I’m all right.” But he did close his eyes again and again the car ran powerful, smooth, and fast beneath him, performing its afternoon’s jaunt over the incredible distances of which the city was composed; from time to time, had he looked, he could have seen the city in the bright soft vague hazy sunlight, random, scattered about the arid earth like so many gay scraps of paper blown without order, with its curious air of being rootless—of houses bright beautiful and gay, without basements or foundations, lightly attached to a few inches of light penetrable earth lighter even than dust and laid lightly in turn upon the profound and primeval lava, which one good hard rain would wash forever from the sight and memory of man as a firehose flushes down a gutter—that city of almost incalculable wealth whose queerly appropriate fate it is to be erected upon a few spools of a substance whose value is computed in billions and which may be completely destroyed in that second’s instant of a careless match between the moment of striking and the moment when the striker might have sprung and stamped it out.

“You saw your mother today,” she said. “Has she—”

“Yes.” He didn’t open his eyes. “That

damned Jap gave it to her. She asked me for money again. I found out what she wants with it. She wants to run, to go back to Nebraska. I told her, so did I. . . . If she went back there, she would not live until Christmas. The first month of winter would kill her. Maybe it wouldn't even take winter to do it."

She still drove, she still watched the road, yet somehow she had contrived to become completely immobile. "So that's what it is," she said.

He did not open his eyes. "What what is?"

"The reason she has been after you all this time to give her money, cash. Why even when you won't do it, every now and then she asks you again."

"What what . . ." He opened his eyes, looking at her profile; he sat up suddenly. "You mean, she's been wanting to go back there all the time? That all these years she has been asking me for money, that that was what she wanted with it?"

She glanced at him swiftly, then back to the road. "What else can it be? What else could she use money for?"

"Back there?" he said. "To those winters, that town, that way of living, where she's bound to know that the first winter would . . . You'd almost think she wanted to die, wouldn't you?"

"Hush," she said quickly. "Shhhhh. Don't say that. Don't say that about anybody." Already they could smell the sea; now they swung down toward it; the bright salt wind blew upon them, with the long spaced sound of the rollers; now they could see it—the dark blue of water creaming into the blanched curve of beach dotted with bathers. "We won't go through the club," she said. "I'll park in here and we can go straight to the water." They left the Filipino in the car and descended to the beach. It was already crowded, bright

and gay with movement. She chose a vacant space and spread her cape.

"Now that drink," he said.

"Have your dip first," she said. He looked at her. Then he slipped his robe off slowly; she took it and spread it beside her own; he looked down at her.

"Which is it? Will you always be too clever for me, or is it that every time I will always believe you again?"

She looked at him, bright, warm, fond and inscrutable. "Maybe both. Maybe neither. Have your dip; I will have the flask and a cigarette ready when you come out." When he came back from the water, wet, panting, his heart a little too hard and fast she had the towel ready and she lit the cigarette and uncapped the flask as he lay on the spread robes. She lay too, lifted to one elbow, smiling down at him, smoothing the water from his hair with the towel while he panted, waiting for his heart to slow and quiet. Steadily between them and the water, and as far up and down the beach as they could see, the bathers passed—young people, young men in trunks, and young girls in little more, with bronzed unselfconscious bodies. Lying so, they seemed to him to walk along the rim of the world as though they and their kind alone inhabited it and he with his forty-eight years were the forgotten last survivor of another race and kind, and they in turn precursors of a new race not yet seen on the earth: of men and women without age, beautiful as gods and goddesses and with the minds of infants. He turned quickly and looked at the woman beside him—at the quiet face, the wise smiling eyes, the grained skin and temples, the hairroots showing where the dye had grown out, the legs veined faint and blue and myriad beneath the skin. "You look better than any of them!" he cried. "You look better to me than any of them!"

III

The Japanese gardener, with his hat on, stood tapping on the glass and beckoning and grimacing until old Mrs. Ewing went out to him. He had the afternoon's paper with its black headline: LALEAR WOMAN CREATES SCENE IN COURTROOM. "You take," the Japanese said. "Read while I catch water." But she declined; she just stood in the soft halcyon sunlight, surrounded by the myriad and almost fierce blooming of flowers, and looked quietly at the headline without even taking the paper, and that was all.

"I guess I won't look at the paper today," she said. "Thank you just the same." She returned to the living room. Save for the chair, it was exactly as it had been when she first saw it that day when her son brought her into it and told her that it was now her home and that her daughter-in-law and her grandchildren were now her family. It had changed very little, and that which had altered was the part which her son knew nothing about, and that too had changed not at all in so long that she could not even remember now when she had added the last coin to the hoard. This was in a china vase on the mantel. She knew what was in it to the penny; nevertheless, she took it down and sat in the chair which she had brought all the way from Nebraska and emptied the coins and the worn timetable into her lap. The timetable was folded back at the page on which she had folded it the day she walked downtown to the ticket office and got it fifteen years ago, though that was so long ago now that the pencil circle about the name of the nearest junction point to Ewing, Nebraska, had faded away. But she did not need that either; she knew the distance to the exact halfmile, just as she knew the fare to the penny, and back in the early

twenties when the railroads began to become worried and passenger fares began to drop, no broker ever watched the grain and utilities market any closer than she watched the railroad advertisements and quotations. Then at last the fares became stabilized with the fare back to Ewing thirteen dollars more than she had been able to save, and at a time when her source of income had ceased. This was the two grandchildren. When she entered the house that day twenty years ago and looked at the two babies for the first time, it was with diffidence and eagerness both. She would be dependent for the rest of her life, but she would give something in return for it. It was not that she would attempt to make another Ira and Samantha Ewing of them; she had made that mistake with her own son and had driven him from home. She was wiser now; she saw now that it was not the repetition of hardship: she would merely take what had been of value in hers and her husband's hard lives—that which they had learned through hardship and endurance of honor and courage and pride—and transmit it to the children without their having to suffer the hardship at all, the travail and the despairs. She had expected that there would be some friction between her and the young daughter-in-law, but she had believed that her son, the actual Ewing, would be her ally; she had even reconciled herself after a year to waiting, since the children were still but babies; she was not alarmed, since they were Ewings too: after she had looked that first searching time at the two puttysoft little faces feature by feature, she had said it was because they were babies yet and so looked like no one. So she was content to bide and wait; she did not even know that her son was planning to move until he told her that the other house was bought and that the present one was to be hers until

she died. She watched them go; she said nothing; it was not to begin then. It did not begin for five years, during which she watched her son making money faster and faster and easier and easier, gaining with apparent contemptible and contemptuous ease that substance for which in niggard amounts her husband had striven while still clinging with undeviating incorruptibility to honor and dignity and pride, and spending it, squandering it, in the same way. By that time she had given up the son and she had long since learned that she and her daughter-in-law were irrevocable and implacable moral enemies. It was in the fifth year. One day in her son's home she saw the two children take money from their mother's purse lying on a table. The mother did not even know how much she had in the purse; when the grandmother told her about it she became angry and dared the older woman to put it to the test. The grandmother accused the children, who denied the whole affair with perfectly straight faces. That was the actual break between herself and her son's family; after that she saw the two children only when the son would bring them with him occasionally on his unfailing daily visits. She had a few broken dollars which she had brought from Nebraska and had kept intact for five years, since she had no need for money here; one day she planted one of the coins while the children were there, and when she went back to look, it was gone too. The next morning she tried to talk to her son about the children, remembering her experience with the daughter-in-law and approaching the matter indirectly, speaking generally of money. "Yes," the son said. "I'm making money. I'm making it fast while I can. I'm going to make a lot of it. I'm going to give my children luxuries and advantages that my father

never dreamed a child might have."

"That's it," she said. "You make money too easy. This whole country is too easy for us Ewings. It may be all right for them that have been born here for generations; I don't know about that. But not for us."

"But these children were born here."

"Just one generation. The generation before that they were born in a sodroofed dugout on the Nebraska wheat frontier. And the one before that in a log house in Missouri. And the one before that in a Kentucky blockhouse with Indians around it. This world has never been easy for Ewings. Maybe the Lord never intended it to be."

"But it is from now on," he said; he spoke with a kind of triumph. "For you and me too. But mostly for them."

And that was all. When he was gone she sat quietly in the single Nebraska chair which she had taken out of storage—the first chair which the older Ira Ewing had bought for her after he built a house and in which she had rocked the younger Ira to sleep before he could walk, while the older Ira himself sat in the chair which he had made out of a flour barrel, grim, quiet and incorruptible, taking his earned twilight ease between a day and a day—telling herself quietly that that was all. Her next move was curiously direct; there was something in it of the actual pioneer's opportunism, of taking immediate and cold advantage of Spartan circumstance; it was as though for the first time in her life she was able to use something, anything, which she had gained by bartering her youth and strong maturity against the Nebraska immensity, and this not in order to live further but in order to die; apparently she saw neither paradox in it nor dishonesty. She began to make candy and cake of the materials which her son bought for her on credit, and to sell them to the two grand-

children for the coins which their father gave them or which they perhaps purloined also from their mother's purse, hiding the coins in the vase with the timetable, watching the niggard hoard grow. But after a few years the children outgrew candy and cake, and then she had watched railroad fares go down and down and then stop thirteen dollars away. But she did not give up, even then. Her son had tried to give her a servant years ago and she had refused; she believed that when the time came, the right moment, he would not refuse to give her at least thirteen dollars of the money which she had saved him. Then this had failed. "Maybe it wasn't the right time," she thought. "Maybe I tried it too quick. I was surprised into it," she told herself, looking down at the heap of small coins in her lap. "Or maybe he was surprised into saying No. Maybe when he

has had time . . ." She roused; she put the coins back into the vase and set it on the mantel again, looking at the clock as she did so. It was just four, two hours yet until time to start supper. The sun was high; she could see the water from the sprinkler flashing and glinting in it as she went to the window. It was still high, still afternoon; the mountains stood serene and drab against it; the city, the land, lay sprawled and myriad beneath it—the land, the earth which spawned a thousand new faiths, nostrums and cures each year but no disease to even disprove them on—beneath the golden days unmarred by rain or weather, the changeless monotonous beautiful days without end countless out of the halcyon past and endless into the halcyon future.

"I will stay here and live forever," she said to herself.

THE SAD FATE OF WORLD COMMUNISM

BY OLIVER CARLSON

WHAT has happened to the Communist International? Five years of unparalleled world depression—grist to the mill of revolutionists—have brought nothing but defeats, dissension, and disaster to the self-heralded leaders of the world's proletariat. To understand this sad breakdown of the international organization and its national sections, we must go beyond the commonplace arguments about "ignorant masses", "betrayals by labor leaders", and "ruthless power of capitalist oppression"; we must look to the ossification which has taken place at the very fountain-head—the Third (Communist) International itself. Only in the light of its rise, outlook, and policies can we hope to understand the world-wide failure of the communist revolution. The unadorned history of the organization tells its own unhappy story.

The Third International was born on March 2, 1919, when thirty-nine men and women were gathered in one of the smaller rooms of Moscow's Kremlin. A short thick-chested man, who in less than two years had risen from comparative obscurity to world renown as leader of the Russian Revolution, rang a small bell. In a dry husky voice he welcomed the two-score Comrades to Soviet Russia and officially opened the sessions of the First Congress.

The thirty-nine delegates (supplemented by a dozen late arrivals) continued their sessions through the 19th of March. They

declared the Second (Socialist) International a bankrupt organization which must under no circumstances be revived. It had failed in the great crisis of 1914 "by proving that, dominating the fraternal masses of the workmen, stood parties transformed into the cringing organs of the bourgeois state". Europe, if not the whole world, "was hurrying toward proletarian revolution at breakneck speed".

Europe was in ferment. Less than two years earlier the great Romanoff dynasty had been toppled. The Empires of the Hohenzollerns and the Hapsburgs had followed in its wake. Red flags were flying throughout Central Europe. The tide of revolutionary ferment was everywhere on the upgrade.

But world revolution did not weigh heavily upon the shoulders of this handful of delegates to the Congress. They were prepared to assume leadership because they were convinced that history was marching with them. "The spectre of communism" which Marx and Engels had spoken of as "hovering over Europe" in 1848 had become a reality seventy-two years later. The Third (Communist) International was being brought to life in the very heart of the first successful Workers' Republic, and at a time when revolution was knocking at the door of a supposedly dying capitalist order. This was to be, in truth, "an International of Action".

Cheer upon cheer echoed through the

small ante-room of the Romanoffs as Comrade Trotsky, commander-in-chief of the Red Army, read the proposed manifesto:

The period of the last decisive struggle has begun later than was desired or expected by the apostles of the social revolution. But it is here; it has come! Our duty is . . . to facilitate and hasten the victory of the communist revolution.

Sixteen months now elapse before the Communist International reconvenes—months which seem to indicate the communist analysis of the world situation as fundamentally correct. To be sure, Comrade Gregory Zinoviev, president of the Third International, had boasted in January, 1919, that a Soviet Germany was just around the corner; that Scheidemann, social-democratic premier, would be strung up to the nearest lamppost by German revolutionists; and that Comrade Lenin would aid Comrade Karl Liebknecht in writing the first socialist decrees for the new Germany. Beyond the slight error that the revolution didn't take place and that it was Comrade Liebknecht, not Premier Scheidemann, who was murdered, it cannot be denied that the forces of revolution had been on the upgrade most of the time. For even as the First Comintern Congress was adjourning in March, 1919, Comrade Bela Kun was entering Budapest and proclaiming the establishment of a Hungarian Socialist Soviet Government. A month later the Bavarian Soviet Government was set up under the leadership of Comrade Kurt Eisner. Uprisings took place in Saxony, Thuringia, and elsewhere. Though of short duration, these revolts were, nevertheless, a barometer of the revolutionary temper of the people of Central Europe.

Socialist parties everywhere were in a stage of ferment. Some of the largest went over to the Communist International, bag

and baggage. In others there were splits. Militants took their stand with the International of Action. Syndicalists, anarchists and trade unionists turned hopefully to this young but promising organization. "On to Moscow" and "On to the Third International" became the most powerful slogans in the labor movements everywhere.

The European crisis grew even more severe early in 1920. The Balkan States were shaken by a series of strikes in February. In March the famous Kapp Putsch occurred in Germany. This was broken by a general strike, which communists and left-wing socialists tried to turn into revolutionary channels. The larger part of the industrial Ruhr region was seized, and for a few weeks Soviets were established. The Italian Socialist Party entered the spring elections of 1920 under the emblem of the Soviet Hammer and Sickle. It polled over 3,000,000 votes—more than 36% of the country's total. The government stood in awe of this powerful movement. The Italian delegation to the 1920 Congress of the Third International was given a special train by the ministry and supplied with special diplomatic passes to expedite its journey to and from Russia.

Soon representatives of the French Socialist Party, of the German Independent Socialist Party (700,000 strong), and even of Comrade Ramsay MacDonald's Independent Labor Party were negotiating for membership with the Communist International. Despite the difficulties involved, revolutionary labor delegations from all over the world began making their way to Moscow, the Mecca of the oppressed. Comrades from India, China, Persia, Australia and America mingled with groups from European nations on the crooked, cobbled streets of Russia's Red Capital.

The leaders of the Third International

now began to assume even greater confidence in themselves. They were the real protagonists of the world proletariat. It was obvious to them that leaders and led alike would flock to the red bandwagon of Moscow as soon as the world revolution got under way.

Meanwhile, the victorious Red Army of Russia had cleared the country of foreign troops. The Russo-Polish war had begun. The ragged forces of the Soviets were marching triumphantly westward on Warsaw. It seemed to be merely a question of weeks before they would be on their way to Berlin, there to join the revolutionary workers in setting up the United Socialist Soviet Republic of Europe.

Such was the mood and setting under which the Second Congress of the Third International opened its sessions, July 19, 1920, in Petrograd. Two hundred and eighteen delegates, representing strong and powerful organizations from thirty-seven countries, had convened to carry forward the work of this International of Action. The sight of the Congress, the number and relative importance of the Comrades participating, would have made even well-balanced heads dizzy. The Bolsheviks were simply lifted off their feet by this demonstration of revolutionary enthusiasm and solidarity.

II

Special trains brought the delegates to Moscow where nearly half a million of its citizenry marched through historic Red Square to honor and salute "the new leadership of the World Revolution". Once more the doors of the Kremlin were thrown open for the Congress—but this time it assembled in the Throne Room of the Tsar's palace. Comrade Zinoviev has described the setting:

The Second Congress of the International held its sessions at a time when our armies were approaching Warsaw. In the meeting hall there hung a huge map, showing the movement of our armies. Every morning the delegates would assemble in front of this map. Those assemblies were highly symbolical. The best representatives of the world proletariat followed with utmost attention and anxiety these advances, for everybody was conscious that the achievement of its objective by the Red Army would greatly hasten the world revolution.

The delegates were given a world analysis of the forces of capitalism and communism. "Civil war is the order of the day throughout the entire world. Its banner is Soviet-Power". The diagnosis described the complete disorganization of world economy resulting from the war, the vindictive policy of the Allies, the increased pauperization of the masses everywhere, and the breakdown of liberal and reformist policies, thus driving the workers into revolutionary warfare "which objectively destroys the very foundations of the capitalist order of society".

The communist vanguard in all countries was called upon to accelerate the pace of revolution. Not a moment's time must be lost. Resolutions and theses were adopted on such problems as: 1. Means and Methods in the Immediate Preparation for Proletarian Dictatorship; 2. The Role of the Communist Party in the Proletarian Revolution; 3. The Utilization of Bourgeois Parliaments in the Struggle for Proletarian Dictatorship; and 4. When and Under What Conditions Should Soviets Be Formed?

The strength of the International in the summer of 1920, exclusive of the Russian Communist Party, approximated one million members. To this must be added the four hundred thousand of the Young Communist International. Largest, numerically, was the Italian Party with its

219,327 members. Next in order came Norway (110,000), France (108,000), Czechoslovakia (100,000), Germany (75,000), and Yugoslavia (65,000). In October the German Independent Socialist Party split. Over 400,000 of its members amalgamated with the already existing Communist Party. This made the German party, with more than half a million members, larger numerically than even that of Russia. Shortly afterwards the Czech Socialist Party joined the International. A Communist Party 400,000 strong was the result.

This was the hey-day of "calls to arms". Even the Comrades in the Duchy of Luxembourg (a territory smaller than Rhode Island) worked out elaborate plans to seize the country's lone cannon and seven machine guns, and to disperse the military force—two hundred strong. In the United States, a group of subway workers striking for an increase in pay were astounded by the sudden appearance of leaflets calling upon them to take up arms. In every corner of the world the Comrades impatiently awaited *Der Tag*.

III

But almost overnight, in the autumn of 1920, the supposedly surging wave of revolutionary advance was shattered and smashed. The Red Army was stopped at the walls of Warsaw, its energy spent, its forces scattered. Soon it was in full retreat. The west-European proletariat waited in vain for another Red Army to march on to Vienna and Berlin. In September came the great strike wave in Italy, which seemed for a moment to promise the rise of a soviet power on the Mediterranean. It failed—and in its stead came Mussolini and his fascists.

Meanwhile, many left socialist and centrist groups decided that, so far as they

were concerned, the road to Moscow was the road to annihilation. They formed their own International, the Vienna Union, which stood midway between the Second and the Third. Comrade Lenin, who could read the handwriting on the wall, realized that world revolution was not just around the corner. The period of War Communism could not be continued within Soviet Russia. A fundamental turn, a retreat, was made in the spring of 1921 as the NEP (New Economic Policy), which legalized a degree of private trade and industry, was inaugurated.

The German Communist Party also was thrown for a serious loss. Its executive committee was dominated by the idea that the revolutionary movement must at all times take the offensive against a tottering capitalism to hasten its demise. Here was Napoleon's military strategy dressed in proletarian garments. The Party issued a call to arms. A few towns were seized in Saxony and Thuringia. The rest of the country failed to respond. Order was restored within a week. The net result was a heavy loss both in membership and prestige for the German party.

All in all, the period between the second and third congresses was one of retreats, defeats, and splits for the movement. Yet despite all this, the momentum of the revolutionary wave of 1917-20 made the Third Congress (June 22-July 12, 1921) by far the largest and most representative of any ever held before or since. There were present six hundred delegates from fifty-two countries. They represented a total organized strength of 2,733,000 members. Of these, 583,000 were of the Russian Party, 800,000 of the Young Communist Leagues, and 1,350,000 from the other parties.

Many of the delegates, who had taken as gospel truth the pronouncements of the Comintern on the immediate col-

lapse of capitalism, refused to concede that a change had taken place or that the analysis made but a few months earlier was now out of date. But in its majority, the congress approved the new proposals and new analysis made by Comrades Lenin, Trotsky, Zinoviev, and Radek. They adopted this Thesis On The International Situation:

The first period of the revolutionary movement may now be regarded as having reached its termination. . . . The leading spirits of the bourgeoisie are even now boasting of the might of their governmental apparatus, and have assumed the offensive against the laboring masses everywhere on both the economic and political fields . . .

The distinction between the Communist International and the social-democrats of all colors does not consist in the fact that *we are trying to force the revolution* and set a definite date for it, while they are opposed to any utopian and immature uprisings. No, the distinction lies in the fact that the social-democrats *hinder* the actual development of the revolution by rendering all possible assistance in the way of restoring the equilibrium of the bourgeois state, while the communists, on the other hand, are trying to take advantage of all means and methods for the purpose of overthrowing and destroying the capitalist government and establishing the dictatorship of the proletariat. . . . No matter whether the revolutionary movement in the near future is going to proceed at a rapid or protracted rate, the Communist Party must, in either case, be *the Party of Action*.

In the light of this new analysis, the central slogan everywhere was to be: "To the Masses". Lengthy and elaborate theses were adopted which indicated how this slogan was to be realized.

And growing directly out of this new approach adopted by the Comintern in 1921, came the creation of a mass of subsidiary organizations and internationals. Within the next three years hardly a field

remained untouched. Children, young people, and women had to have their special red internationals. Trade unionists, peasants, and members of co-operative societies had to have theirs. Nor must one forget the Red Sportsmen, the Red Friends of the Soviet Union, Red Authors and Red Poets, Red Atheists and Red Freethinkers. The Comintern was supplemented by Profintern, Krestintern, Sportintern, KIM, MOPR, IWA, IRA, FSU and a score of other alphabet combinations.

One day in the early summer of 1924 I was presented with a copy of the Red Philatelist. A flaming manifesto (in English, French, German, and Russian) covered the front page. It was addressed to: "All Revolutionary Proletarian Stamp and Coin Collectors". It concluded:

Down with the greedy Stamp Bourgeoisie!
Long Live the Red Philatelic International,
leader and guardian of the world's working
class philatelists and numismatists! Prole-
tarian stamp and coin collectors, Unite!!

The Comrades were becoming more frenzied than Brain-Trusts watching a stock market collapse.

Retreat and confusion multiplied during the remainder of 1921 and 1922. At the instigation of the Vienna Union, delegates from both the Second and Third Internationals met in Berlin in April 1922. The program was confined primarily to two points: 1. the economic situation of Europe and the action of the working class; 2. the defensive struggle of the working class against reaction. Several days were spent in mutual recriminations. Finally a declaration was agreed upon which proposed the establishment of an Organization Committee of Nine (three from each international) to arrange for mutual action or eventual unity and merger of all internationals. The Committee of Nine was from the start deadlocked

between the forces of the Second and Third Internationals. At last it was proposed by the center group that these two delegations should bring in written statements as to whether unity could be achieved or was even advisable.

Comrade Vander Velde of the Second International was scheduled to read his report first. Comrade Karl Radek, chairman of the communist group, told me that he was worried as to what to do. He finally solved the problem by writing *two* documents, one of which was based on the assumption that the social-democrats accepted unity, the other that they rejected it. Each letter was typed, signed, and sealed. He put one in each outside coat pocket. His sole worry during the final session was that he might forget which letter was in which pocket. Comrade Radek remembered. When Vander Velde concluded reading his document which rejected unity with the communists, the assembled delegates were amazed to hear how Radek's written statement, which also rejected unity, seemed to answer almost point for point every issue raised by the representatives of the Second International.

The Fourth Congress assembled on November 7, 1922. Only 296 delegates from 49 countries were on hand. There had been a membership loss of more than 418,000 outside of Russia since the previous Congress. But this fact was conveniently glossed over. Comrade Lenin's telegram of greeting to the opening session declared, "The Comintern is growing and getting stronger". Comrade Zinoviev, in his lengthy report for the Executive, intimated the same thing on a number of occasions. True, there had been splits, expulsions, and desertions from the ranks but this merely helped to give the movement a firmer core. An aura of infallibility was carefully built up around the Executive

of the International. Time and again, such statements as these appear in the stenographic record: "The tactics of the Communist International have been tested and found correct": "The predictions made by the Comintern have come true": "We assume entire responsibility for all that we say before the workers of the entire world".

The slogan "To the Masses" had failed to bring the masses to the Communist International so a new magic password was coined—"United Front!" This we are told did not mean an electoral alliance, nor organizational unity with the social-democrats:

Every one of us would rather have a hand cut off than enter into a union with these traitors of the working class—the last prop of the bourgeoisie. The United Front means leading the working masses in the daily class war. It means that we are ready to march against capitalism side by side with all workers be they anarchists, syndicalists, Christian socialists, social-democrats or whatever you please, and to join forces with them in the daily struggle against the reduction of wages and the loss of the eight-hour day. We accept the fact that we shall often have to sit at table with the treacherous leaders. The foregoing is what the United Front means and nothing else.

That magic formula has been the cause of more internal dissension, confusion, and expulsions than any other of the so-called short-cuts to revolution.

IV

Germany, the focal point of revolutionary action since 1918, entered its most serious crisis in 1923. The German currency system was forced into a collapse through the reparations policies of the Allies. The mark went into a tailspin which astounded the world. Business was paralyzed and millions of people completely pauperized. Prices were changed in

Germany, at first every week, then every day, and finally almost every hour. The presses worked overtime trying to turn out paper currency which became worthless almost as fast as it was printed. I remember paying 44,000,000 marks for a second class railway ticket from Hamburg to Berlin in the late summer of 1923. The French army invaded the Ruhr early that same year, and this greatly accentuated the crisis. People in all walks of life turned left. The influence of the Communist Party grew amazingly. Revolution was again the order of the day. A left-socialist government (with several communists holding cabinet posts) was established in Saxony. Proletarian Hundreds, the basis of the future German Red Army, were organized from the Baltic Sea to the Rhine. The Party divided the country into a series of secret military districts. *Der Tag* was almost at hand—again.

But the International of Action and its German section fell down on the job. The leadership, both in Moscow and in Berlin, was in a mental panic. Orders were given, withdrawn, modified, given, and again withdrawn until local, sectional, and district leaders didn't know whether they were coming or going. You can bank the fires of revolt up to the time when they burst out in the flame of revolution. But if you bank them for too long a time you may put out the fire altogether. This is what happened in Germany. The doubts and confusion at the top seeped through to the bottom. Psychologically the masses went stale. Meanwhile the Allied Powers came to the aid of Germany—the Dawes Plan was born. The military forces of the government under General Von Seeckt stepped in at the moment when the masses were faltering in their revolutionary ardor, declared a temporary military dictatorship, and squelched the movement before its

leaders knew what had happened. The German Revolution of 1923 was still-born.

But the cult of infallibility of the Comintern's leadership had to be maintained at all costs, so Comrade Karl Radek (who was the personal representative of the Communist International in Germany at this time) and Comrade Heinrich Brandler, leader of the German Party, were made the scapegoats. Comrade Stalin had been opposed to action in Germany altogether. Comrades Zinoviev and Bukharin had vacillated as badly as any social-democrat—but this information was not allowed to pass beyond the realm of the chosen few. The volume of denunciatory propaganda against Comrades Radek, Brandler, and Thamheimer completely drowned out their attempts to tell their side of the story. The King-Comrade can do no wrong.

In Bulgaria, too, the communists suffered a crushing defeat. When the Stamboulinsky Peasant Government was overthrown by a military *coup d'état* of reactionaries, the communists stood by and did nothing. Within a few weeks their organization was declared outlaw, their halls and papers were seized, and over two thousand leading members jailed. Then, and only then, did they attempt a general strike and an armed uprising—but it was too late.

Comrade Lenin died in January, 1924. For many months prior to his death there had been developing a bitter internal struggle within the ranks of the party for control and leadership. Control of the Russian party carried with it automatically control of the Communist International, since more and more of its decisions were being made for it in advance by the Russian Polit-buro. The representatives from other countries were largely rubber stamps. The Zinoviev-Kamenev-Stalin triumvirate

won the day in the Russian party. The beginnings of a decade-long internal struggle had begun—and the whole international communist movement was drawn into this struggle. Heretic hunting within the ranks of the International became the favorite indoor sport for many years.

In Italy the fascists were consolidating their power. In Norway the communists split and a mere 10% remained with the Comintern. The French communists went through several splits while the socialists staged a tremendous come-back. In the Balkans, communist parties were largely destroyed or driven into illegality.

In June, 1924, the Fifth World Congress convened in Moscow. Once more leading Comrades from all countries were told what an incorruptible, indefatigable, and infallible leadership had been provided them by the Executive. Capitalism had tried to crush their movement, but it had signally failed! Why look, the membership of the International stood at 1,132,107! They were not told that 741,107 were members of the Russian party, which left a mere 480,000 in the other fifty-four countries—a loss of 334,000 in less than two years and a total loss, since 1921, of over 1,500,000!

“Bolshevice the Communist Parties” was the central theme of this congress. Greater powers than ever before were bestowed upon the Executive Committee and in short order leaders of the national sections were being made and unmade by cable from Moscow. The International was formally declared to be “one monolithic world party”. Said Comrade Zinoviev (who was soon to be ousted as a non-Bolshevik):

Bolshevization is the unbending will to fight for the hegemony of the proletariat; it is a flaming hatred against the bourgeoisie, against the counter-revolutionary

leadership of social-democracy, against centrism, against half-centrist and pacifist as well as all other outcroppings of a bourgeois ideology. . . . Bolshevization is Marxism in action; it means the unswerving loyalty to the concept of proletarian dictatorship and the ideas of Leninism.

Capitalism was still on the road to collapse and a new wave of revolutionary fervor might sweep the world at any moment. A “democratic pacifist era” had begun. This was to be the calm before the storm.

V

Four long years elapsed before the Sixth, and final, Congress of the Communist International took place in the summer of 1928. Bolshevization had taken its toll in every country. Comrades Zinoviev, Trotsky, and Radek had been removed from leadership and discredited. Bukharin held the spotlight at the Sixth Congress. Little did he realize that he too, within a few months, was slated for the attic. A new figure had arisen to dominate both the Russian party and the International. It was Czarevitch Joseph Stalin.

The world analysis declared that a third period in the general crisis of capitalism had been reached. Wars and civil wars were once more the order of the day. This time there was *nothing* to save capitalism. Everywhere the masses were in action. They were turning to the Communist International as never before. No longer was there time to attempt “United Fronts” with reformist groups. Even the trade unionists were undergoing a rapid radicalization—so the slogan of the communists everywhere must be—“out of the old reactionary unions—form new, revolutionary unions”. This, of course, represented a fundamental departure from the outlook of the previous eight years, but new condi-

tions demand new tactics. Then, too, it was discovered that the social-democrats were really the twin brothers of fascism. If anything, they were more dangerous than the fascists because they were able to fool a lot of innocent Comrades into believing that they were really fighting for the overthrow of capitalism. They were *social-fascists*, and as such must be bitterly fought.

Looking back over the events of the past six years, we are led to wonder what brand of vodka was imbibed by those infallible Comrades in 1928. Reaction, not revolution, was in the saddle—but the leaders of the Comintern kept shouting “Third Period” for nearly four years. Like the man on the flying trapeze, the communists have been making so many turns during the past few years that one is left dizzy by merely contemplating them.

The process of Bolshevization has been carried on relentlessly. But no matter how many members and leaders were weeded out for right, left or centrist deviations, more kept popping up. From the inner sanctum of the Comintern there poured a steady stream of manifestos, resolutions, open letters, closed letters, instructions and appeals. The danger of fascism would be ridiculed at one moment; the next the workers of all countries were told that they were already living under fascism; and following that would come a declaration to the effect that every country must of necessity go through fascism before it would be really ready for communism. Commands and counter-commands came so fast that the poor Comrades never knew what to do—and they had long since stopped thinking for themselves. Orient and Occident alike testify to a movement destroyed from the top, by right orders at the wrong time and wrong orders at the right time.

Meanwhile the membership of communist parties kept dwindling. To be sure, there was a constant stream of raw fresh recruits, who believed that the Communist International really meant what it said—that it was the International of Action. But these recruits passed through the parties like water through a sieve. A turnover of 50% to 80% yearly became a commonplace.

When revolution broke out in Spain two years ago, the Comrades didn't know what to do—and their international leadership sent them no word for many weeks. Hence, they played an insignificant part in that revolt. In Germany, the Communist Party went down to a silent and shameful defeat before the forces of Hitler. In Austria it was the social-democrats who charged the machine guns of the midget Dollfuss.

VI

No World Congress has been held since 1928, nearly seven years ago. In the face of world reaction, and the steady decline of the communist parties, this is, on the surface, difficult to comprehend. The facts are that the present leadership of the Russian Communist Party (and that means the leadership of the International) has lost all hope and faith in the revolutionary workers of the rest of the world. They are pinning their faith on building a socialist society in Russia. They want peace and the status quo at all costs. To accomplish this end, they are busily engaged in promoting Peace Pacts, Eastern Locarnos, joining the League of Nations (which Comrade Lenin branded a den of thieves) and signing secret military agreements.

Less than 200,000 members (outside the USSR) are paying dues to the communist parties today. Of these, the Communist

Party of the United States is perhaps the largest, with its 25,000 members. The French and Czechoslovakian parties each have about 20,000 members. Great Britain can boast of 1500. In Germany, Austria, Italy, Spain, the Balkan states and the Baltic states the Comrades have been decimated. Such fragments as remain function only under the greatest difficulties.

The leaders of the International do not seem to realize that the Road to Moscow has been overgrown with weeds and grass for many years. It is not my purpose here

to say which road the restless masses of the world will take, but it can safely be predicted that the Moscow turnpike will remain unused.

Within a space of sixteen years the Communist International has passed from infancy to senile decay. If the shade of Comrade Lenin were able to survey the hollow shell of that great International of Action which he helped to found, would it not repeat the words of Karl Marx, founder of the First International: "I sowed dragons' teeth and I reaped—*fleas!*"

THE POOR PULITZER PRIZE

BY CLAYTON HAMILTON

THE imminent announcement of the Pulitzer awards for the fiscal year of 1934-1935 is now awaited throughout the nation with more than customary curiosity. Thousands of people, from New York to San Francisco, are wondering whether there will be a repetition of the fiasco of last spring. They would wonder all the more had they been properly informed that the careful mechanism of award, which was originally worked out to safeguard the integrity of Joseph Pulitzer's intentions and which has been employed through eighteen years of practice to build up the constantly increasing prestige of the Pulitzer prizes, was summarily smashed to bits last spring and tossed into the scrapheap.

This season, for the first time, the names of the prize-winners are—in a manner of speaking—to be picked out of a hat, without any presumption of the acceptance of professional advice and without any guarantee of a recourse to critical discrimination. This statement may, at the first glance, appear to be exaggerated; but it has not been made impulsively—it fits the facts precisely.

When the annual announcement of the Pulitzer awards was made a year ago, the public quickly sensed the fact that something had gone wrong. Three or four prizes were handed out for work so notably unworthy that it was evident that the awards had been arrived at without reference to established standards of criticism. The

public was furthermore perturbed by a simultaneous announcement that the members of the Advisory Board of the School of Journalism of Columbia University, who were responsible for these awards, had rejected the verdicts of three of the professional juries which they themselves had appointed to guide them with expert advice. And, oddly enough, the most perverse of the awards was made within that special field of journalism in respect to which the members of the Advisory Board, all of whom were newspaper men of national reputation, might have been expected to exercise a high degree of critical discrimination. As the best editorial published in any newspaper anywhere in the United States on any of 365 consecutive days, they picked a piece from a small-town newspaper which was both childish in its reasoning and almost illiterate in its expression. It read, indeed, like a satire of hick-town journalism that might have been written by some such expert in American illiteracy as the late Ring Lardner. It was speedily reprinted, as an amusing example of unconscious humor, in most of the leading newspapers throughout the land.

By the time the general public had ceased to laugh at this prize-winning editorial, most people had forgotten that the prize "for the most disinterested and meritorious public service rendered by an American newspaper during the year" had been awarded to a periodical in Med-

ford, Oregon, for its prowess in defeating a local political boss, at the same time that a similar service was being rendered on a somewhat larger scale by the newspapers of New York that succeeded in defeating Tammany. They had forgotten also that the prize for history had been bestowed upon a book that was discredited by several of our recognized historians, and that the prize for drama had been awarded to a piece which owed its success in the theatre mainly to careful casting and meticulous stage-direction, despite the fact that Pulitzer had intended to establish a prize for dramatic authorship and not for meritorious theatrical production.

A Board composed entirely of newspaper editors was naturally not insensible to public ridicule. Its members speedily decided that something should be done to avert the recurrence of such fiascos in the future. It was evident that the recent disaster had arisen from certain differences of opinion between the professional jurors on the one hand and the Advisory Board upon the other; and the Board decided that the surest way to prevent any future disagreements would be to request the jurors to refrain from formulating any opinions. This decision, though somewhat hysterical, was not devoid of a certain logic: if a big-hearted person desires to live in complete agreement with the entire world, the first thing for him to do is to kill off everyone with whom he happens to disagree.

II

A year ago, the jury for the drama was composed of Walter Prichard Eaton, who had served for nine successive years, Austin Strong, who had served for five successive years, and myself, with sixteen years of service. At our final meeting, at the close of the fiscal year, I was selected

to write the unanimous opinion of the jury; but Mr. Eaton said to me, "Since the choice has long been just as obvious as it has been inevitable, and since thousands of people have praised this play throughout the last five months, don't attempt to paint the lily. The only thing to do is to state that we concur with the general opinion".

The text of the report which we delivered to the Advisory Board shortly after March 15, 1934, has never before been published.

I shall give it now, verbatim:

The Jurors have voted unanimously in favor of *Mary of Scotland*, by Maxwell Anderson, an historical play of fine dramatic and literary accomplishment, which deserves the unstinted praise bestowed upon it by the press and the emphatic success accorded to it by the theatre-going public. The merits of this piece have been so generally recognized that a detailed criticism is not deemed necessary in this report.

The Jurors have not endeavored to agree upon a second choice.

The current season, however, was productive of an unusual number of good plays; and the Jurors wish to report that they devoted serious consideration to each of the following pieces, whose titles are listed in alphabetical order and not necessarily in the order of merit:

Ah, Wilderness! by Eugene O'Neill.

Men in White, by Sidney Kingsley.

Peace on Earth, by George Sklar and Albert Maltz.

They Shall Not Die! by John Wexley.

Wednesday's Child, by Leopold Atlas.

Yellow Jack, by Sidney Howard.

It is possible that one or another of these plays might have been recommended for the prize in a weaker season, when the competition was less keen.

In the instances of two effective dramatized novels—*Dodsworth*, by Sidney Howard, and *Tobacco Road*, by Jack Kirkland—the Jurors decided that these pieces were not strictly eligible for consid-

eration, because in neither case had the dramatist made an important creative addition to the materials supplied by the novelist.

The jurors received no communication of any kind from the Advisory Board until, a few days before the date set for the public announcement of the Pulitzer awards, a succinct statement was sent to each of us that the prize for drama was to be bestowed on *Men in White*. We have received no word of explanation to this day.

I immediately went up to Columbia University to lay a simple request before President Butler. On behalf of my colleagues and myself, I stated that, since we had always understood that we had been retained in a merely advisory capacity, we did not question the authority of the Advisory Board to reject our judgment, and that, since there was no disputing matters of taste, we had no desire to argue about a difference of opinion. But I also stated that, if the announcement of the award to *Men in White* should be made without any annotation, the people of the theatre, and the general public as well, would assume that this choice had been suggested by the jurors; and that any such assumption would be extremely damaging to our professional reputations. I stated that it would be unfair to us to permit the public to suspect that we could be capable of regarding *Men in White* as the finest contribution to American dramatic authorship in a season which had been graced not only by *Mary of Scotland*, but also by *Ah, Wilderness!*, *Wednesday's Child*, and *Yellow Jack*. I requested, therefore, that simultaneously with the announcement of the award to *Men in White*, an announcement should also be made that the three jurors had voted unanimously for *Mary of Scotland* and had refused to recommend a

second choice. President Butler ruled that this request was just: and the statement was duly released to the press by the Secretary of Columbia University.

That was the only statement that was made by any of us at that time. One or two reporters, who had been disappointed when interviews had been refused to them, invented some more or less appropriate remarks and put them into the mouths of one or another of the jurors; but, in fact, we said nothing. There was nothing to be said. The Pulitzer prizes were publicly bestowed at a banquet to which nearly everybody in New York appeared to be invited, except the members of the various juries who had toiled throughout the season to defend the integrity and sustain the prestige of the awards.

We had completed our year of service; and, technically, we were out of office. Consequently, it was not possible for us to tender our resignations. But, since our judgment had been repudiated and our services had apparently been deemed unsatisfactory, none of us expected to be invited to serve again.

III

It was with real surprise, then, that I received a letter last September asking me to serve once more. I learned immediately that a similar letter had been sent to Mr. Eaton and to Mr. Strong. The invitation was couched in very cordial terms; but it contained a curious paragraph which evidently had not been composed without considerable difficulty. This paragraph read as follows:

The Advisory Board has felt embarrassment more than once in years past at being faced by the alternative of rejecting the recommendation of one of the carefully chosen Juries or of being constrained to

accept that recommendation against their own judgment. The Advisory Board have, therefore, directed that hereafter the Juries of Selection and Recommendation shall be invited not to propose a definite recipient for a prize but to submit what the members of the Jury regard as an eligible list of possible recipients, with a summary of their reasons for the recommendations in each case. Each Jury might, if it thought best, go so far as to arrange its recommendations in order of preference. But by refraining from making a distinct recommendation, the embarrassment which the Advisory Board has sometimes felt would be avoided.

The grammar in that statement is the Advisory Board's. My reply, which was intended to be courteous, stated that I would be very glad to serve once more if there were any possibility that I could really be of service, but that, under the new conditions, I could see no reason for appointing a jury. Why, I asked, should three professional men of the theatre, who presumably had many other things to do, be invited to devote more than fifty evenings of their time to a careful study at first hand of every American play of serious intention produced in New York in the course of the fiscal year, when the comparative merits of these plays were ultimately to be adjudicated by a totally different committee of a dozen other gentlemen, the majority of whom had never seen more than two or three of the plays in question? Only a sense of politeness prevented me from pointing out that, if all that the members of the Advisory Board desired was a list of the best ten plays of the season, to guide them in their theatre-going on their occasional visits to New York, it would not be necessary to appoint three members of the National Institute to supply them with this information, since all that they would need to do would be to call up Mr. Burns Mantle, the faithful dramatic

critic of the *Daily News*, who, for many years, has been accustomed to prepare a year-book of the best ten plays, which, season after season, has been notably reliable in its selections. Meanwhile, I was informed that Mr. Eaton and Mr. Strong had declined to serve again.

It is, of course, humanly conceivable that the various members of the Advisory Board may be able to devote all their leisure hours throughout the year to a study at first hand of the most important publications within the fields of fiction, history, biography, and poetry, so that they may arrive at their annual meeting as well prepared as the specialists on any of the four juries that have been required to investigate only one of these four fields. But the theatre stands upon a different basis. The annual meeting of the Advisory Board in New York City does not take place until the month of May. By that time, the theatre season is over; and most of the good plays of the year—including frequently the best play—are no longer to be seen.

Hence, a majority of the members of the Advisory Board, who live at considerable distances from the metropolis, will be asked to vote upon the comparative merits of various plays which they cannot possibly have seen. Any such vote must be intellectually dishonest: it cannot be regarded as an expression of reasoned critical opinion.

In the season of 1927, when the plays presented in Times Square were distinctly below par, the jury for the drama—composed at that time of A. E. Thomas, Walter Prichard Eaton, and myself—selected as the best play of the year a sincere and searching study of negro life in North Carolina, entitled *In Abraham's Bosom*, by Paul Green, an author who till then was almost utterly unknown. This play had been produced in a converted stable on

MacDougal Street which seated scarcely more than two hundred people. It had not been noticed by the metropolitan reviewers. It had not been advertised in the newspapers. It was played for only a few performances; and it had ceased to exist many weeks before the month of May. Nevertheless, it was the best American play presented in New York during the course of that particular season. After the prize was announced, *In Abraham's Bosom* was rescued from the storehouse; and it enjoyed a subsequent existence of at least two seasons. The author, Paul Green, is now regarded generally as one of our most valuable dramatists.

I venture to assume that, in the month of May, 1927, not one member of the Advisory Board had ever heard of *In Abraham's Bosom*. At any rate, they could not have had an opportunity to see it. It is obvious that, under the new conditions, such discoveries cannot possibly be made.

IV

Joseph Pulitzer was a man of philanthropic vision. It must be obvious that his purpose in establishing these prizes was not merely to hand out a thousand dollars here and a thousand dollars there, to this or that more or less deserving individual. It must have been his purpose to bestow a lasting benefit upon his fellow-countrymen by singling out each year and conspicuously celebrating the very best achievements of American authorship, both in the field of journalism and in the field of letters. It is therefore not excessive to assert that every citizen is concerned with the integrity of the Pulitzer awards, and that the responsibility for adjudicating these awards should be regarded as a public trust.

Consequently, it has always seemed re-

grettable that the general public has been told so little about the mechanism of award. There should be no mystery about this matter. Actuated by no other motive than a disinterested desire to help the public to understand what happened last spring, I shall review briefly here the essential points in the history of the Pulitzer awards and particularly the award for drama.

In addition to five prizes for distinct achievements within the field of journalism, Pulitzer established five prizes in letters—for the drama, for the novel, for history, for biography, and for poetry. The citations were differently phrased; and one or two of them were hedged about with certain restrictions which now and then have proved a little bothersome. But, without bewildering the reader with superfluous particularities, it may be stated that Pulitzer's general intention was to award an annual prize for the best achievement of American authorship in each of these five branches. In all five of the differently phrased citations, the adjective "best" was prominently used. It seems to me important to insist upon this point. The prize for the novel—to select a single instance—was to be awarded not merely to a worthy author or to a worthy work, not merely to one of the best ten novels of the year, or to one of the best two, but only to the *best*.

It must have been evident to Pulitzer that the prestige of these prizes would depend entirely on the mechanism of award. No artist ever values any prize unless it has been bestowed upon him by a jury of his peers. For instance, an award for the finest American painting of the year would remain quite meaningless if the recipient were to be chosen by a vote of the Rotary Club of Ottumwa, Iowa.

In Schedule B, Article I, of his will, Pulitzer set forth the following decree:

The award of Prizes . . . will be publicly made and announced at the annual Commencement in each year by the Trustees of Columbia University on the recommendation of the Advisory Board of the School of Journalism.

There is one point to be particularly noted in a study of that statement.

It should be carefully observed that the bestowal of the prizes is vested solely in the Trustees of Columbia University. No other body—not even the Advisory Board of the School of Journalism—can actually make the awards. All that the Board was asked to do was to *recommend* potential recipients to the Trustees. The connotation of the word “recommend” is clearly tentative, not mandatory. In practice, the Trustees have always accepted the recommendation of the Board. They would naturally do so as a matter of courtesy; but it may be questioned whether they could be constrained to do so as a matter of law. Since I am not a lawyer, I can only hazard a suggestion that if, on several future occasions, the Board should continue to submit a list of recommendations as indefensible as those which were made a year ago, the Trustees might possibly reject these recommendations and decide either to withhold the prizes entirely or to award them upon their own responsibility. This is a point which, to my knowledge, has never been considered—not even by President Butler. I regard it as worthy of consideration.

Now, what is the Advisory Board of the School of Journalism? . . . It is a committee of a dozen distinguished gentlemen all of whom are proprietors, editors, or managing editors of newspapers or news agencies. They have been so selected as to represent the different sections of the country. Only a minority of them have offices in New York: the majority of them

live in distant towns and cities, several of which are situated more than a thousand miles from the metropolis. All of these gentlemen are nationally known. They are successful men of affairs—educated, cultured, keenly intelligent, and unusually well informed. But they meet only once a year. Their annual meeting is held in New York in the month of May; and, on this occasion, their main duty is to formulate their recommendations for the Pulitzer awards.

It was obvious at the outset that no other body of men could be better qualified to adjudicate the five awards in journalism; but it was also obvious that not one of these newspaper editors could possibly regard himself as an expert in five arts so different from each other as the drama, the novel, history, biography, and poetry. Furthermore, since all of them were very busy men, it was evident that none of them could possibly find time to read a hundred novels every year, a score of books of poetry, and half a hundred biographies and histories, and then, on top of that, to move to New York and study in the actual theatre not less than fifty plays.

Consequently, the members of the Advisory Board decided to delegate their duties and responsibilities in regard to the awards for letters to five subcommittees, to be known as juries, each of which would be able to concentrate attention upon a single field. Each jury was to have three members. The jury for the drama would be composed of three specialists of the theatre; the jury for the novel would be composed of three specialists in fiction; and so on, for the other arts.

The question then arose, where were these jurors to be found? At the suggestion of President Butler, which was immediately accepted by the Advisory Board,

it was decided that the jurors should be selected from the joint membership of the National Institute of Arts and Letters and the American Academy of Arts and Letters. It was agreed that at least one member of the jury for the drama should always be a practicing dramatist whose own plays had been notably successful, that at least one member of the jury for the novel should be a well-known novelist, and so on. Furthermore, it was agreed that jurors should be invited to serve for one year only, with a possibility of reappointment. The purpose of this provision was to make it easy for the Advisory Board, without embarrassment, to drop any juror who might neglect his duties, or to sidetrack an entire jury whose judgment might have been regarded as unreliable. Although certain small allotments have been made each year for expenses in the purchase of books and theatre tickets, no salary has ever been paid to any of the jurors. Their sole reward has been a sense of service to the special art to which their lives were dedicated. The members of the National Institute who have served as jurors have always been given to understand that they were retained in a merely advisory capacity and that their recommendations need not be accepted by the Advisory Board (any more than—according to my theory—the recommendations of the Advisory Board need be accepted by the Trustees of Columbia University); but most of the jurors who have served for several years have taken it for granted that their verdicts would not be rejected without due cause.

In 1917 I had the honor to serve on the first jury for the drama, under the chairmanship of the late Augustus Thomas, who at that time was the dean of American dramatists and the acknowledged leader of the American stage. From that

year to this, I have been offered reappointment every season. On two occasions, in 1921 and 1922, I was obliged to decline the invitation because of the press of other business; but I have acted as a juror in every other year, until the present season, when I refused to serve. I believe that I have remained in active service throughout a greater number of years than any other individual member of any of the Pulitzer prize juries.

My only reason for setting forth these personal details is to give the reader an assurance that there is no problem, either large or little, that has ever come up in connection with the annual award of the Pulitzer prize for drama with which I am not familiar at first hand. Mistakes have been made, of course; but I know why these mistakes were made, and I am in a position to testify that they resulted neither from negligence nor intellectual dishonesty nor critical incompetence on the part of any of my colleagues. I have served in collaboration with Augustus Thomas, Hamlin Garland, Richard Burton, William Lyon Phelps, Owen Johnson, Jesse Lynch Williams, A. E. Thomas, Walter Prichard Eaton, and Austin Strong; and I should like to pay a tribute to the disinterested devotion with which they have labored through the years to safeguard the integrity and to build up the prestige of this particular prize.

The most persistent difficulty in respect to the award for drama is one that has been little understood by the press and by the public. It has arisen from what I may call the accident of the calendar. In the New York theatre, good plays seem to come in waves; and it has often happened that three or four plays produced within the limits of a single season have been superior to the best plays of other seasons not so opulent.

But, unfortunately, the prize must be awarded annually. In a good season, no prize can be awarded to the second, third, and fourth best plays, even though all of these may be superior to the best play of a bad season, which has won the prize in default of first-class competition. This is, of course, the main reason for the very different degrees of merit displayed by the prize-winning plays from year to year. To cite a particular illustration of this difficulty,—the jurors a year ago were keenly regretful of the fact that a play so sincere and searching as *Wednesday's Child*, by Leopold Atlas, had been produced in a season overshadowed by the towering splendor of *Mary of Scotland*; for if this tender and touching human document had been produced one year before, it would probably have won the Pulitzer prize for that particular season.

V

In anticipation of the annual announcement which now is imminent, I feel no

fear for the Pulitzer awards this year. Since the members of the Advisory Board are newspaper men, they must be keenly sensitive to popular opinion. They know that they are now on trial before the bar of public judgment; and it is only logical to predict that they will endeavor to avoid embarrassment by playing safe. They will probably award the prize in fiction to a popular novel which has already sold a hundred thousand copies. Luckily, this happens to have been a season when the choices in some of the other fields have long been obvious. For instance, everyone has already known for several months the title of the best American biography of the year and the title of the best American play of the season. It should be a simple matter for the members of the Board to endorse the general opinion.

But the troublesome fact remains that no safeguards have been provided for the future. Only a few disastrous decisions will be sufficient to destroy the prestige of the Pulitzer awards and to nullify the philanthropic purpose of their founder.

IN MEMORIAM: GATTI-CASAZZA

BY IRVING KOLODIN

THE official obsequies for Giulio Gatti-Casazza, General Director of the Metropolitan Opera Company for the past twenty-seven years, are still a matter of recent memory; but, as with many such official functions, *rigor mortis* had set in long before the body was conveyed into the ceremonial chamber and embalmed in the fluid of encomium. In the case of Gatti, the final flutterings of the sentient being (so far as they related to the direction of opera) may be linked to that day in August, 1921, when Enrico Caruso breathed his last. There died in Naples then, not merely a singer, but the symbol of a whole tradition of opera, a mode of approach and a manner of performance—the only procedures with which Gatti had any really personal contact. For full fifteen years afterwards Gatti continued to pull the strings and manipulate the puppets of the organization, but in any vital sense these actions were purely of a reflex nature, attuned to no vibrations of the life about him, wholly mechanical and possessed of no seminal force. For the record, it is appropriate that the case be reviewed in detail.

There is probably no single aspect of Gatti's career in New York so generally misunderstood, by that portion of the public which takes cognizance of such matters, as his mere arrival here in 1908. The younger generation has been given to understand that the Maestro was borne triumphantly away from La Scala in Milan,

bringing in his tow a diffident young man named Arturo Toscanini, who was thereafter given his chance to shine in America. So recently as the twelfth of last November, the admiring *Herald Tribune* (editorially firing the first gun of salutation upon the announcement of Gatti's impending retirement) declared, in peroration: "Above all, he had the artistic acumen to bring with him . . . and to keep here for seven years, the greatest conductor in the world; and for those seven years the Metropolitan yielded us . . . performances under Toscanini which remain unsurpassed and unforgettable." And Gatti himself, in his memoirs published recently in the *Saturday Evening Post* inferentially supported that version of the story.

It requires, however, but the slightest searching in the contemporary prints to discover that the facts of the matter were almost precisely the contrary; that Toscanini (already an international celebrity) had been offered an engagement at the Metropolitan in 1906, by Heinrich Conried; and that he refused to leave the Scala. A year later, when the Metropolitan moguls decided to reorganize their enterprise and engage a salaried director (instead of one who shared in the profits), a number of candidates were considered. In the discussions that ensued, Mrs. William K. Vanderbilt had a prominent part—but let the *Sun* of February 11, 1909, tell the story: "Her first choice was Tito Ricordi, of the well-known Milan publishing house. Ob-

stacles arose, however, to his selection and the next choice fell upon the eminent conductor of the Scala Theatre, Arturo Toscanini. He declined to come to America without his old time associate Mr. Gatti-Casazza, and accordingly the latter was also engaged". That is how the Maestro was hired.

Gatti embarked on his first journey to America in the spring of 1908, coming by way of England. En route he was interviewed by a representative of the London *Daily Telegraph*, and after the conventional talk about "upholding the finest traditions of the lyric drama", abolishing "the star system", etc., he concluded with the firm announcement: "At the moment my only preoccupation is with learning the English language." The preoccupation could not have engrossed him deeply; for even now, after spending at least six months in each of twenty-seven consecutive years in America (including one period of uninterrupted residence from October, 1916, to June, 1919) Gatti has no real command of English, and even the reviews from the newspapers are translated for him. Though he has received over three quarters of a million dollars in salary during that period (his initial stipend was \$30,000 a year, and no doubt rose with the steady renewal of contracts) he found it inconvenient or unnecessary to master our tongue—an example of indifference that is scarcely credible.

Visiting the site of his future vexations when he arrived, Gatti declared: "It is a fine auditorium, a real twentieth century theatre." More recently, however, his opinion has changed; and he now cites in his memoirs a private conversation at that time with Otto H. Kahn, in which he complained of the theatre's shortcomings and was assured of a new opera house "within a few years". No such report is to be found

in the press of the day. Some of his enthusiasm then may have been an expression of relief upon escaping from the Scala which in 1908 was already 136 years old, the stage dating from the time of Maria Theresa. In such relationship, the Metropolitan's cavernous spaces naturally seemed a "twentieth century theatre". In any case, opera in New York is still given in a structure built in 1883 from designs by J. Cleaveland Cady, a church architect who had never previously designed a theatre, much less an opera house.

In the din that heralded Gatti's arrival were to be discerned several main themes. According to the directors, he was "an eclectic", the man who had waged the battle for Wagner in Italy practically alone. But the fact that *Götterdämmerung* was given at the Scala *fourteen times* in the year before Gatti's arrival there hardly stamps him as a pioneer. Also the situation at the Metropolitan was complicated by the presence of Andreas Dippel, as associate manager, sharing power with Gatti who first learned of Dippel's existence when they met at the opera house. Further there was the Hammerstein opposition at the Manhattan Opera House. The musical director there, Cleofonte Campanini, improved his opportunity by telling the *Times* on January 25th, 1908: "Gatti is not a musician and depends entirely upon his *chef d'orchestre*. At La Scala only eight operas are given in a season of five months. What a man of this sort would be capable of doing in New York I cannot imagine. The report that I received my training under Gatti is absurd. What little that gentleman knows about music he learned from Toscanini and me. Toscanini . . . makes out the repertory [at the Scala] and engages the singers." In the customary fashion, the truth falls between the two extremes; but Gatti's qualifications were soon to be demonstrated.

Despite a company that included Caruso as the leading tenor, with Bonci, Scotti, Martin, Reiss, Delwary, Amato, Goritz, Jörn, Witherspoon and Didur as male associates; Sembrich, Eames, Farrar, Destinn, Alda, Gay, Sparkes, Gadski, Homer, Fremstad and Wakefield among the women; and Toscanini, Mahler and Hertz as conductors, the first season of the dual management lost \$250,000; and the second, \$300,000. An orchestra of 139, and two separate choruses (for the Italian-French works, and the German repertory) might account for part of this loss; but no doubt Gatti was learning valuable lessons. Dippel's lessons ended with the close of the second season; his friends on the directorate made him an executive of the Chicago company (a Metropolitan subsidiary). Gatti was then installed as solo director.

It has become customary, in discussing the career of Gatti in New York, to declare that, if nothing else, he was a shrewd business executive who took opera out of the red for the first time and established it on a self-supporting basis. This, however, was hardly unprecedented, for both Grau and Conried, operating on the percentage basis cited, earned large sums of money for themselves and their backers—when the singers to attract the multitudes were available. Their seasons, to be sure, were not on the repertory scale of Gatti's; but there are several contributory factors, in his success, which have never been sufficiently regarded. It is factual that the first season of Gatti's complete control (1910-11) earned a surplus; but it is important to realize that this surplus *cost* the Metropolitan \$1,200,000—the sum delivered to Oscar Hammerstein to buy him out of the opera field in the spring preceding.

Granting the talents of Gatti for organization, for reducing the production of opera to a veritable conveyor-belt system

that would be the envy of Henry Ford, it can be seen further that a moneyed group which regarded opera as a social function to be taken seriously; a splendid company of singers; and a general public (including a large immigrant group for the cheaper seats) that still considered the lead of society important and had no other permanent opera to patronize, were all immensely favorable, almost indispensable factors in the Gattian success. An editorial in the *Herald* of March 13, 1924, summed up the matter thus: "The tenor [Caruso] was already a star when Giulio Gatti-Casazza came from Milan, and remained to his death the most brilliant of the singers in the company. No opera company, whoever conducted its affairs, could have gone on the rocks so long as it possessed such a popular tenor."

II

Under the direction of Gatti, the Metropolitan began in 1910, to pile up a surplus which reached, by 1930, the sum of \$1,100,000—an average, for good seasons and bad, of about \$50,000 a year (until 1930-31, when according to Gatti's words in the memoirs, there was a loss "for the first time since I assumed sole control"—the amount was \$300,000). The significance of this accomplishment, to the directors, cannot be minimized. It permitted them to enjoy opera at but a nominal cost for their boxes; to promenade the foyers as patrons of art and public benefactors, while the actual expenses of the company were brought neatly into alignment. Meanwhile, the worth of the property (which, plus the expense of erecting the building, had totaled \$1,732,978.71 in 1883) grew steadily to a valuation, for tax appraisal purposes only, of \$7,500,000 in 1932.

In this respect, the regime of Gatti may

be deemed an unqualified success (until the financial depression caught up with the artistic depression in 1931). In every other respect, however, there are grave doubts to be encountered. The extent to which the vastly erratic quality of the opera organization and its productions may be attributed to the inherent tastes or inclinations of Gatti and how much was due to the conditions imposed by his directors, one cannot determine. But since Gatti retained his job for twenty-seven years, one may presume that he was as content with the surroundings as the directors were with his services. His iteration and reiteration during each of those years of the high quality maintained in the performances offered, indicate that he had faith in them as artistic representations as well as pride in the balance sheet he was able to present. Finally, he has said, concerning the general plan of the enterprise: "I should not change my policy . . . in any essential respect if we had a subsidy".

During the years 1910-14 there is evidence for believing that many of the high claims advanced for the quality of the opera presented were just. The company enumerated above (plus such new singers as Hempel, Gluck, Slezak, Whitehill, Bori, Ober, etc.), the production of such fresh works as *Boris* and *Rosenkavalier*, revivals of *Der Freischütz*, *Zauberflöte*, *Armide*, etc., an orchestra of ample size if variable quality, all contributed to a higher level of achievement than in the years immediately preceding. To a certain extent the star system was abolished; as a term, certainly, if not as an actuality. A company with a Farrar and a Caruso among its members could scarcely have been expected fully to achieve that feat.

But the outbreak of the war and the losses of 1914 created a situation that resulted disastrously for the quality of the

performances. Retrenchments were ordered; and the order resulted, eventually, in the loss of the artistic conscience of the house, Arturo Toscanini. At the time it was declared that patriotic fervor held Toscanini in Italy where he conducted concerts for the soldiers. But one of Toscanini's intimate associates is authority for the statement that he refused to accept the new conditions that were to be imposed (in regard to rehearsals and personnel) and counseled Gatti to retire with him, in the belief that their demands would be met if they insisted to the point of resignation. It is history that Gatti remained and that even a three hundred word cable to Toscanini from Otto Kahn (in the main conceding his demands and offering him the title of Artistic Director if he would return) accomplished nothing. It is also history that an estrangement ensued between Gatti and Toscanini which endured for 17 years.

With Toscanini and Hertz both gone — Mahler had left several years before, of course — the concentration upon a balanced budget and mass production of opera moved ahead relentlessly. Polacco was engaged for most of the Italian works, and Bodanzky took over the German repertory. It is trite, and unkind, to say that neither was a Toscanini; but they were considerably further away from his level of ability than any of a half-dozen other conductors then available. Though the German works were patriotically dropped from the list in 1917, the season moved along smoothly. The public was in a mood to patronize opera and they uncomplainingly accepted the meagerness of the repertory as they did Meatless Mondays and Sugarless Sundays. With the restoration of *Götterdämmerung* to the list in 1924 (the other standard works of Wagner had been reintroduced gradually in the three seasons

preceding) the repertory was restored, on paper at least, to the proudly catholic appearance it had in 1914.

III

But even at what would appear to be the high point of opera under Gatti (considering the company and the conductors) the quality was more illusionary than actual. In the *Tribune* of April 26, 1914, Krehbiel wrote: "Of the periodic restudy and rejuvenation of standard works, and the selection of novelties on the basis of artistic merit, which are essential to the maintenance and cultivation of ideals, there have been few evidences for years." Without change, this may stand as the perfect summation of the operatic woes of the last decade. The present generation, as well, suffers the disadvantage of listening to a Martini and a Martinelli (in his twentieth season with the company) in place of Caruso or Bonci; of German opera under a Bodanzky in place of Toscanini; of French opera (including *Pelleas*) under Hasselmans instead of Pierre Monteux or Albert Wolff (both members of the company during the war); and of gazing at settings that are unchanged from their pre-war status — except that they are, for the most part, twenty years older.

By 1929, before the financial depression affected the opera house, the Wagner repertory had declined to a point that aroused the ire of even the more moderate press. Thus, of a *Tristan* performance: "We have seldom heard more persistent lapses from the pitch than we listened to last night" — Gilman. "The orchestra and singers went atonal at about the same time last evening. Strings and woodwinds parted company in the enchanted night" — Thompson. "A scene which often yields a special amount of bad singing was last night mercilessly

imperfect" — Downes. Of *Die Meistersinger*: "There were foul notes aplenty" — Cushing. "As an actor, he may be described as an operatic tenor" — Gilman. Of various performances of *Götterdämmerung*: "Mr. Laubenthal, as the highest hero, was in especially hard voice. Nothing so became his life as the leaving of it" — Henderson. "The Metropolitan's drums still sound like thunder machines" — Chotzinoff. "The orchestra at the Metropolitan . . . is inferior, and shockingly so, to any we have heard at any opera house of comparatively equal rank abroad" — Cushing. Of a *Tannhäuser* performance: "In the well-beloved overture the violence of the contrasts and the quality of the brasses were to be deplored" — Sanborn.

These, then, are the tributes that were lavished upon an opera organization that had, by its own admission, a surplus of over a million dollars at that time! It is thus apparent how that famed credit balance, Gatti's unique claim to lasting remembrance, was built up; by skimping on a well-balanced personnel; by avoiding necessary and, indeed, indispensable replacement of scenery; by making an aging orchestra of 80 men do the work of a youthful organization of 139 in 1908 and over 100 in 1914; by a lax attitude toward orchestral rehearsals even for singers making their debuts in the house.

The recent elevation in the quality of certain Wagner performances under Gatti I am happy to acknowledge; but it is one dependent almost wholly on the presence of a few singers — Melchior, Lehman, Kappel, Olszewska, Hofmann, Althouse, List, Branzell, Schorr, Leider and, more recently, Kirsten Flagstad. Yet Lehman, Olszewska, Hofmann and Leider were famous in Europe a dozen years ago; and could have contributed their skill and artistry to us for all that period had not Gatti

consistently ignored their existence while a stream of singers long past their prime — Ljungberg, Ohms, Kirchhoff, Richard Mayr, Claussen, the more recent Whitehill, the later Jeritza and Paul Bender, as well as others obviously limited — Taucher, Laubenthal, Roessler, Manski, Doe, Halstead, De Loor, Lorenz, Larsen-Todsen, Gustafson — were offered as “the best in the world”. For much of the period after the war only Rethberg, Mueller, Stueckgold, Schorr, Bohnen, Easton, Andressen, Melchior, Branzell, Telve and Meader were of a quality to be expected from the Wagnerian singers in the “blue ribbon house of the operatic world”. Needless to say, they were not all present at the same time, either, or for long.

In this recent recrudescence of the Wagner performances (which have been excellently attended) the constant factors — orchestra, settings, costuming, conducting — have been inferior; and the variables — the singers of the moment — have been uneven in quality. Even when Flagstad was being acclaimed recently as the best *Götterdämmerung* Brünnhilde since Nordica, the generally loyal *Times* was forced to acknowledge the “particularly bad playing of the orchestra, which was out of tune, miserably unequal in the brass choir . . . rough and unlovely in tone quality”. It may be illuminating to append that the generally unchanging personnel of the orchestra (on the only occasion a list has been printed) included, in December, 1923, three Russians, four Frenchmen, thirteen Teutons, nineteen Americans — and thirty-seven Italians.

Even if Gatti had maintained the settings and orchestra at the 1914 level, the situation would not have been materially altered. For in the meantime standards of theatrical production — design, lighting, and costuming — moved ahead in gargan-

antuan leaps. Further, the development of virtuoso orchestras had acquainted the musical public and the critics with a standard palpably beyond anything the Metropolitan could match. It is ironic, too, that such funds as have been expended for scenery have been largely for novelties or revivals that did not remain in the repertory while the stock operas that were sure to be given half a dozen times a season languished unimproved. The conventional yet attractive settings for *Don Giovanni*, the colorful and simple designs for this year's *Don Pasquale* and *Servant of the Padrona* are examples of what mere brightness contributes to an opera house of the Metropolitan's prevailing drabness.

IV

In the list of 177 works that Gatti has produced in his years here, there is much to be commended: *Rosenkavalier*, *Salome*, *Elektra*, *Boris*, *Pelleas*, *L'Amore dei tre Re*, *Die verkaufte Braut* and *Schwanda* are an essential part of any modern repertory; the revivals of *Armide*, *Freischütz*, *Oberon*, *Euryanthe* and *Fidelio*, the productions of *Falstaff* and *Othello* are also to be recognized. But these works have hardly entered into the basic schedule of the company and it is obvious that they are for the most part “prestige” works which look well in a tabulation, so long as one does not scrutinize too closely the infrequency of their performance.

Concerning the large number of Italian novelties (almost uniformly without quality), the critical chorus has been sufficiently insistent to require little reinforcement. But the conditions surrounding this bias should also be recognized: it is said that in exchange for the exclusive rights to premières of new operas by Puccini, Gatti accepted a quota of novelties from

the same press, from year to year. Thus block-booking at the Metropolitan long before Hollywood thought of it! In fact, in *More Chapters of Opera* (page 155) Krehbiel records it thus: "The demands of a firm of Italian music publishers read in effect: If no novelty from our press, no Puccini. Hence *Germania*". *Germania* had over a dozen successors from the catalogue of G. Ricordi & Co., of which *L'Amore* alone lingers, even as a memory. If this does not explode the theory of Gatti's objective appraisal of these novelties as "theatre", as "music", as "drawing the public" nothing can or will. Puccini is undoubtedly a mainstay of a popular opera season along with Wagner and Verdi; but it is difficult to believe that his premières have been worth these dozen novelties or worth the loss, moreover, of the dozen real novelties we might have had in their place. Thus, of the operas by Delius, Holst, Vaughan Williams and the others of the younger English group we have not had one. Their more advanced contemporaries on the Continent may have been ruled out because they were uncommercial, but no such objection could be brought against *The Village Romeo and Juliet* or *Hugh the Drover*. They were merely brought out by the wrong publisher.

V

In his direct relationship with American singers and composers Gatti has in general managed a higher level of achievement than in almost any other sphere. To be sure, John Charles Thomas, Richard Crooks, Richard Bonelli, Kathryn Meisle, Paul Althouse (in his latest vocal incarnation) and many others earned solid reputations elsewhere before the Metropolitan recognized them; and Nelson Eddy, Charles Kullmann, Dusolina Giannini and

Harold Kravitt are but a few of today's numerous American singers who are yet to be heard there. Yet in the long history of Gatti's directorship, American singers — from Farrar (who was present when he arrived) to Ponselle and Swarthout, from Witherspoon to Tibbett — certainly have not been discriminated against, even if their engagements were sanctioned in a foreign tongue. It has always been good box-office to have a number of Americans identified with the institution, and if they have not been more numerous, or entrusted with larger roles, I believe the basis for that was incompetence and not a cabal. The recent eagerness of the organization for American talent has led, indeed, to the projection of such "artists" as Marion Talley, Mary Lewis, Grace Moore, Leonora Corona, Pearl Besuner, et al., in roles for which they have been far from qualified, and I have no doubt Gatti's awareness of their shortcomings has been as keen as anyone's. Certainly the Americans ignored by the Metropolitan have not been more numerous nor of greater ability than the many foreign singers who have been passed by in favor of inferior ones, for reasons which had nothing to do with their artistic qualifications.

Gatti's record in regard to American novelties has been of much the same sort. From *The Pipes of Desire* in 1909 to *In the Pasha's Garden* of this year, they have conformed closely to the mould of his foreign novelties — unadventurous, tame, *talentlos*. On the other hand, if there have been better American operas written than those presented at the Metropolitan, they have hardly come to light from other quarters. Gatti has not recognized the recently increasing group of young American radicals; but for that matter he has not recognized the *ultra* group of any nationality. One may condemn him for his avoidance

of both, perhaps; but it is a distortion to pretend that his attitude toward American innovators has been any more severe than his attitude toward the European.

VI

It was once Gatti's pleasure to remark: "A director must be an organizer, an administrator and an artist." Whether there was a conscious arrangement of these factors in the order which he deemed them to be important is unessential, but it is curious that their progression parallels the decreasing efficacy of his activities at the Metropolitan. That he organized its forces into the kind of smoothly functioning mechanism that he wanted is unquestionable; that he administered it well is open to doubt if one regards the performing standards of the house as an intrinsic part of the administrative concern, or if one has sharply different notions of what an executive budget should comprise.

But in the sphere of artistry Gatti leaves the opera and operatic production in New York in little healthier condition than when he arrived here. He has given us opera in the language of its origin; offered, on a take-it-or-leave-it basis, a large number of works; maintained a consistently excellent chorus. Though he has frequently, and with just cause, bewailed the lack of singers such as Caruso, Eames,

Destinn, Scotti, Farrar, etc., he has not demonstrated what a polished ensemble (and that means more than a good singing chorus) could do to supply the kind of theatrical illusion which would compensate for the less extraordinary voices. For publication purposes he has frequently referred to *décor*, *mise en scène*, *ensemble* and the other words of the theatrical jargon, but that talk has rarely been supported in practice—as the limited corps of the Metropolitan's stage-directors demonstrates. And with the emphasis during the last decade on Jeritza, Talley, Gigli, Lauri-Volpi, Pons, Ponselle, etc., one realizes that the star system is still with us—save that today the stars, too, are inferior.

However, as Gatti reclines in his villa on distant Lago di Garda and reflects on the woes of his successors, the Messrs. Witherspoon, Ziegler, and Johnson, he will have the consolation that it will be easy for him to forget the little English he knows when taking his place once more among his countrymen. It is quite possible that the Juilliard-Metropolitan Opera will not pile up a surplus of \$1,100,000 in the next fifteen years; but it is also possible that we may see a new set for *Walküre*, hear an efficient horn or two in the orchestra, have the opportunity to applaud, for a change, our *own* mistakes. That much, certainly, will be a clear gain. For the rest—let us pray.

THE TRUE STORY OF THE LUSITANIA

BY OSWALD GARRISON VILLARD

JUST twenty years ago this month — on the morning of May 7, 1915 — an eighteen-year-old boy, Leslie N. Morton by name, was an extra lookout on the starboard side of the forecastle head of the Lusitania. It was his first voyage, but he had keener eyes than anyone aboard that ocean greyhound. Suddenly he saw something streaking through the water that made him put his megaphone to his lips and yell to the bridge: "Torpedoes coming on the starboard side." The words seemed hardly to have been uttered when the torpedo struck and exploded with terrific force on the water-line somewhere between the third and fourth funnels.

There had been a heavy fog until noon; then it had lifted and the Irish coast was in plain sight, with Old Head of Kinsale just ten miles away. The complete surprise of the attack; the utter unpreparedness of passengers and crew; the usual lowering of some boats by only one fall and the consequent spilling of the occupants into the sea, and the capsizing of others; the quick, sudden list to starboard; the sinking of the ship in twenty minutes after the first alarm; and finally the desperate struggle for life in the sea, these made a picture of horror which could have been worse only if it had occurred at night and there had been a rough instead of a smooth ocean. The Titanic had nearly three hours of life before it went down; the Lusitania what must have seemed only a few seconds to

those who faced eternity. Survivors testified that absolute coolness prevailed on the decks of the doomed ship. There was no rushing about, and nothing remotely resembling a panic; only a few women betrayed signs of hysteria. The men met the horrible situation with amazing resignation and self-control; the discipline of the crew was excellent.

On the bridge, Captain William Thomas Turner immediately gave the order to lower the boats which had been swung out on their davits the day before. Women and children were first placed in the boats, the launching of which was made extremely difficult by the heavy list and by the fact that the engine room was out of commission, so that the ship could not be immediately stopped. The Captain stuck to his bridge until the ship went down.

Although the Lusitania was within ten miles of land when she sank, only a single trawler was in sight at the time; this vessel did not arrive in time to save any of those in the water, but gathered in 110 persons who were in lifeboats and life rafts. Twenty-five miles away, in Queenstown harbor, lay a flotilla of high-speed destroyers; they never left their anchorage in response to the Lusitania's brief appeals for help. Their crews were later attacked when they came ashore by some of the people of Queenstown who were unaware that Admiralty orders had forbidden British naval vessels to go to the rescue of tor-

pedoed ships lest they be in turn torpedoed, as were the armored cruisers Cressy, Aboukir, and Hogue in quick succession on September 22, 1914.

Those of the *Lusitania*'s passengers and crew who were saved after being plunged into the sea were held up by life-preservers, wreckage, and rafts, or were pulled into the boats that remained afloat. Here the young look-out, Leslie Morton, showed the stuff that was in him. When he found himself in the water, he espied near him an empty collapsible boat covered with canvas. Climbing up on it he tore the cover off and with the aid of another seaman saved nearly one hundred lives. It is no wonder that Lord Mersey, the Wreck Commissioner who conducted the inquiry into the disaster ordered by the Board of Trade, declared of this youngster that "he seems to have exhibited great courage, self-possession and resource."

At one o'clock there came into the New York newspaper offices the flash that horrified the world, changed the whole aspect of the World War, and announced the most sensational marine disaster in history, unless the loss of the *Titanic* be excepted: *Lusitania sunk by German submarine*. I had twice, at my desk in the *Evening Post* office, been rung up from the financial district after ten o'clock by men who inquired if the *Lusitania* had been sunk. We called the Associated Press both times; there was no confirmation. Apparently, as in the strange case of the *Titanic*, the news came to New York in some mysterious, inexplicable way before the actual announcement arrived, but this time it may have leaked out of the Cunard office where, according to a story in the *New York Times* the next day, which was in other respects erroneous, the news was withheld for a while.

For the moment every consideration was

forgotten in the horror of the event, the deaths of 1,198 men, women, and children, 785 of them helpless and non-combatant passengers of whom 124 were neutral Americans. Before long the names of the saved began to come in, 761 in all. It made no difference in the public reaction to the disaster that passenger ships were being similarly sunk right along. This was the first time that a whole group of Americans had perished at German hands, and what added to the sensational character of the news was that among the lost were Alfred G. Vanderbilt, Charles Frohman, Elbert Hubbard, Justis M. Foreman, the playwright, A. L. Hopkins, President of the Newport News Shipbuilding Company, Dr. Frederick S. Pearson, a distinguished consulting engineer, Herbert S. Stone, the publisher, who was the son of the head of the Associated Press, and others of distinction. The fame of the ship itself added to the tragedy.

Despite the years which have elapsed, certain myths still cling to the disaster. Thus the British *Official History of the World War* in that portion by Archibald Hurd devoted to the Merchant Navy, declares that the *Lusitania* was struck by two torpedoes, although it admits that the German official report declares that only one was fired. So reputable a journalist as Frederick Palmer repeats, in his two volume eulogy of Newton D. Baker, the old story that the passengers of the *Lusitania* were specially warned that the ship would be torpedoed. He then says: "That the sinking had been premeditated was proved by the warning of April 29 (sic) from the German Foreign Office," which notice, by the way, clearly shows that the German Government was "premeditating" the sinking of *every* English passenger ship which came within range of its submarines.

But multitudes still believe, as does Mr. Palmer, that the sinking was carefully arranged in advance and the U-20 stationed where it was for the express purpose of picking up the Lusitania at the exact hour and place where she was met; quite forgetting that, if such an encounter could be as easily arranged in advance as that, the German Government would previously have bagged the Mauretania, the Olympic, and every other liner running between New York and Great Britain. It is time therefore to set forth the truth, especially since those portions of the examination of Captain Turner by the Wreck Commissioner, which were suppressed at the time for military reasons, are now available, as is also the story of Commander Schwieger of the U-20.

II

I believe I am in a position to assert definitely that it was the sheerest accident that the warning notice of the German Government was published on the day of the Lusitania's sailing. For I called upon the German Ambassador within forty-eight hours of the tragedy and heard from his own lips that he had received the notice from his government some time before with orders to publish. "Thinking it a great mistake," he said, "I threw it into that drawer of my desk (pointing to the center drawer of a flat-top desk) and hoped that Berlin would forget about it." The day before the Lusitania's departure, he went on to say, he received a wireless from Berlin specifically inquiring whether he had received the notice, whether it had been published, and if not, directing him to publish it at once. There was nothing for him to do but to send it out as a paid advertisement to be inserted near the advertisements of the steamship lines, which

he did with the date of April 22 (not April 29, as Mr. Palmer has it), presumably the date of its original receipt, appended to it. Had the Berlin inquiry been delayed even twenty-four hours, the Lusitania's passengers would have sailed in ignorance of the order, which in no wise applied to the Lusitania specifically, but was intended for the entire passenger traffic between the United States and Great Britain. But let this now famous advertisement speak for itself:

NOTICE!

TRAVELLERS intending to embark on the Atlantic voyage are reminded that a state of war exists between Germany and her allies and Great Britain and her allies; that the zone of war includes the waters adjacent to the British Isles; that, in accordance with formal notice given by the Imperial German Government, vessels flying the flag of Great Britain, or of any of her allies, are liable to destruction in those waters and that travellers sailing in the war zone on ships of Great Britain or her allies do so at their own risk.

IMPERIAL GERMAN EMBASSY
Washington, D. C., April 22, 1915.

Can any exception be taken to this notice today? It was a mere restatement and reminder of conditions which everybody knew existed. For on February 4, 1915, the German Government had announced that "from February 18, 1915, onward, every merchant ship met with in this war zone will be destroyed, nor will it always be possible to obviate the danger with which the crews and passengers are thereby threatened." Why the reminder should have been marked for publication in April is perhaps explainable by the fact that the spring and summer travel to England begins in that month. Had the situation been reversed, surely the publication of this notice by the British Admiralty would have

been cited as an act of notable humanity, quite apart from any question of the inhumanity of permitting U-boats to sink passenger ships without notice. It is also a fact that, so far as I can ascertain, every nation, including our own, intends today to use submarines in the next war in precisely the same way. Certainly nothing has been done in any of the many conferences between nations since the War to forbid the use of this weapon in this manner for all time.

As for any pre-arrangement of the catastrophe, it should suffice to point out that, according to the testimony of both captains, there was a heavy fog during the morning of May 7; Captain Turner stated that it lifted "some time before twelve." The U-20 had been in a dense fog for two days and had turned her nose homeward for Wilhelmshaven because her oil supply was low and there were only two small torpedoes left. Then the fog lifted, and soon afterwards the Lusitania hove in sight. To believe that the meeting was prearranged one must assume that the German Admiralty had arranged with nature for the fog to lift when it did; otherwise the Lusitania would have gone by safely. It must also have arranged with the Lusitania's captain to change speed no less than three times that morning. More than that, when Schwieger sighted the Lusitania, she was two miles away; according to his official log, as published by Lowell Thomas in his *Raiders of the Deep*, the Lusitania changed her course and came directly over to the submarine as if deliberately planning to immolate herself. One must therefore assume connivance on the part of Captain Turner if one believes that the Germans sent the U-20 to the coast of Ireland to await the coming of the Lusitania. Indeed, the idea is so preposterous that today the recounting of it serves

only the purpose of illustrating the hysterical mentality of the time.

Let us turn to some German evidence. Lowell Thomas, who prints Schwieger's own story as narrated to a friend, records the fact that the submarine commander did not recognize the Lusitania when he saw her and obtained knowledge of what ship it was from a merchant vessel captain who was acting as pilot for the U-20. The words attributed to Schwieger are: "A few minutes after we emerged, I sighted on the horizon a forest of masts and stacks. At first I thought they must belong to several ships. Then I saw that it was a great steamer coming over the horizon." When the U-20 arrived in Germany, Schwieger, who had until then no idea whatever of the number of lives he had taken, received many congratulations from friends, and some misguided individuals (not the government) struck off a medal commemorating the sinking. But from the Kaiser there came not a decoration or promotion, but a reprimand. Schwieger's associates in the navy bitterly resented this and it would seem with justice, for he, like the other naval commanders, had received orders to sink any ships he could in blockaded waters. Surely if, as Mr. Palmer avers, the deed was skillfully planned in advance, the Kaiser would have praised and not reprimanded.

As for von Bernstorff, on the morning that the Lusitania entered Irish waters he took the train at Washington for one of his frequent visits to New York. When the train arrived in Philadelphia, he was in the dining-car. People told him the Lusitania had been sunk. He declared it impossible. They brought him an extra containing the news. Horrified, he left the train at once and took the next one back to Washington. I found him still shattered, fully realizing the immensity of the blow dealt by

Schwieger to his own country, and fearing he would be given his passport at once.

But he had a personal reason for resenting the charge that the sinking was prearranged. On the *Lusitania* were two young men, Herbert Stone and Lindon Bates, Jr., bound to Germany and carrying letters of introduction from him. "If I were capable of giving letters to those two young men knowing that they were going to their deaths," he said to me, "I ought to be taken out of this embassy and hung to the nearest lamp post." Melville Stone, with all the resources of the Associated Press at his command, made his own inquiry and absolved von Bernstorff of any responsibility for his son's death. On May 16 von Bernstorff wrote me when the horror and anger over the *Lusitania* sinking were still at their height: "We propose to give up the submarine war if England will obey international law. We further propose to give up the submarine war temporarily to leave time for you [the United States] to renew the above proposal to England." Berlin vacillated—von Bernstorff's profanity as to his own Foreign Office would have delighted the bitterest anti-German—and finally the submarine war was fully renewed by the madmen then in charge of Germany's destiny.

III

Did the U-20 use one or two torpedoes? Schwieger's official log records the firing of but one. There were, however, two explosions; Schwieger heard them and so did all the survivors. The British allegation that there were two torpedoes used was due at first to erroneous testimony before the Wreck Commissioner and then, perhaps, to the German assertion that the second explosion was proof that the *Lusitania* had a cargo of ammunition on board which

blew up as a result of the torpedo's explosion. Obviously if Schwieger wrote his log at sea, he could not have had this motive for concealing a second torpedo, since the question of the *Lusitania*'s cargo did not come up for some time, not until the Germans sought justification for the crime. The witness upon whom the Wreck Commissioner depended was that heroic young seaman, Leslie N. Morton. To his evidence and that of others that two torpedoes struck, Lord Mersey added: "It is also in evidence that shortly afterwards a torpedo from another submarine was fired on that port side of the *Lusitania*"; but this was pure imagination. There was no other U-boat anywhere in the vicinity.

On the other hand, there is plenty of evidence that the second explosion was internal. Thus, James Brooks of Bridgeport, Conn., testified as follows: "Before I could recover myself, the iron forepart of the ship was enveloped in a blinding cloud of steam, due, not, I think, to the explosion of a second torpedo, as some thought, but to the fact that the two forehold boilers had been jammed close together and 'jack-knifed' upwards. This I was told by a stoker afterwards. . . ." Although Mr. Hurd praises and quotes Mr. Brooks's testimony, his *Official History* still maintains that Schwieger fired two torpedoes. He does, however, record that a German historian of the U-boat warfare, Kapitänleutnant A. Gayer, also states positively that only one torpedo was fired. Writing in the *Nation* of January 23, 1923, Dudley Field Malone, who, as Collector of the Port of New York, had the responsibility of seeing that the *Lusitania*'s cargo was what it purported to be, speaks only of "the torpedo" and says: "Whether this second explosion was due to bursting boilers or to the ignition of other explosives is mere speculation."

Whether there were or were not explosives on board was a moot question from the start. The German Government, in its effort to bolster up a morally indefensible case, falsely asserted that the Lusitania carried guns, expert gunners and special ammunition, that it was transporting Canadian troops and was violating the laws of the United States. To this charge against the Lusitania the United States properly replied in its subsequent note that: "Whatever may be the contentions of the Imperial German Government regarding the carriage of contraband of war on board the Lusitania or regarding the explosion of that material by a torpedo, it need only be said that in the view of this Government these contentions are irrelevant to the question of the legality of the methods used by the German naval authorities in sinking the vessel." Mr. Malone, in the letter already quoted, declared that there were 4,200 cases of Springfield cartridges listed among the small arms on the Lusitania's manifest. It was estimated, he said, that there were between ten and eleven tons of black powder in this consignment. He continued:

Back in President Taft's Administration ordnance experts of the Government had ruled that such small-arms ammunition could not be exploded by fire or concussion and, therefore, could be carried safely on passenger ships. But a theory has been frequently advanced that the torpedo striking the Lusitania and making contact with this particular consignment of cartridges might have generated enough heat together with the shock simultaneously to explode all this black powder, even though the powder was protected by the metal coverings of the individual cartridges. As to the probable accuracy of this theory, I know nothing.

It is, of course, possible, and Mr. Malone admitted the possibility, that there were other explosives on board of which he

knew nothing. He said: "It would have been impossible to discover absolutely whether there were explosives on the Lusitania or on other ships unless such explosives were enumerated on the manifests of the ships or unless some suspicious circumstance attracted the attention of the men of the Neutrality Squad."

In his official report on the Lusitania sinking Mr. Malone further stated that he and a group of the largest shippers in New York agreed that it would be entirely impracticable to make a physical examination of each package or case going into the cargo of an out-going ship, that it would have taken an army of men to open and verify the contents of each case, replace the goods, and reseal the cases. The damage of such a procedure would be immeasurable and the expense to the government would make it almost prohibitive. All he could do was to order the Neutrality Squad to report anything suspicious, in which case he at once had the entire ship ransacked. There the case must rest.

Mr. Malone published his *Nation* letter originally "as a contribution for the ultimate establishment of the complete truth," but there seems to be no way today in which any further light on the question of the Lusitania's cargo can be obtained. Judge Julius M. Mayer of the United States District Court in New York, in an important judgment concerning the Lusitania, handed down in August, 1918, in which he held the Cunard Company blameless and accepted the theory of there having been two torpedoes, declared that: "The proof is absolute that she was not and never had been armed, nor did she carry any explosives." He stated, however, that she had the 4200 cases of safety cartridges, none of which "could be exploded by setting them on fire in mass or in bulk, nor by subjecting them to impact."

IV

There is still another myth connected with this disaster and that is that the ship was properly handled by her captain, William Thomas Turner. It was not. This is a bold statement to make in view of the fact that Lord Mersey and the four British naval officers who were associated with him in the inquiry as assessors, Admiral Sir F. S. Inglefield, Lieutenant-Commander H. J. Hearn, Captain David Davies, and Captain John Spedding, declared that "blame ought not to be imputed to the captain." Lord Mersey admitted that in some respects Captain Turner did not follow the advice given to him by the authorities and felt that that advice "although meant for his most serious and careful consideration, was not intended to deprive him of the right to exercise his skilled judgment in the difficult questions that might arise from time to time in the navigation of his ship. His omission to follow the advice in all respects cannot fairly be attributed either to negligence or incompetence. He exercised his judgment for the best. It was the judgment of a skilled and experienced man, and although others might have acted differently and perhaps more successfully, he ought not, in my opinion, to be blamed. The whole blame for the cruel destruction of life in this catastrophe must rest solely with those who plotted and with those who committed the crime."

The out about this is that it was not advice given to him which Captain Turner disobeyed, but positive orders and instructions from the British Admiralty. It is impossible to read the proceedings of this inquiry, held in secret on Tuesday, June 15, and Friday, June 18, 1915, without becoming convinced that the court more than leaned over backwards in its endeavor to whitewash Captain Turner and make

the crime of the Germans as black as it could possibly be. If every witness put on the stand were to receive the same kindly help from the judge which fell to the lot of Captain Turner, there would be far, far fewer convictions. The reason for the suppression of this testimony was indubitably to prevent the Germans from getting Admiralty instructions to ships as to how they should behave when submarines were near and also information as to ship courses. That was a perfectly legitimate reason for withholding publication, but it was extremely fortunate for Captain Turner that the proceedings were not issued to the public until long after the public's interest had died out.

The allegations made against the Captain which were forcefully presented by the then Solicitor General, the distinguished Sir Frederick E. Smith, later Lord Birkenhead, were the following: That he went too near the headlands; that he was not following a mid-channel course; that he had not obeyed the Admiralty orders to zigzag his vessel; and that he had reduced his speed to eighteen knots when he met the U-20. The Captain actually *pleaded guilty* to every one of these allegations when on the stand and yet he was acquitted, as above, by the Commissioner! Mr. Hurd, in the *Official History*, of course, upholds Lord Mersey's findings: and shows plainly that he cannot have read and analyzed the testimony. I have submitted the testimony to one of the best of our American ship captains, who is also an able writer. He, too, feels that the case against Captain Turner is overwhelming. He feels that Captain Turner's "frightful lack of judgment, slowness, and general mediocrity" is characteristic of far too many shipmasters in all countries because of poor pay and poor standing, the sort of thing that was so vividly illustrated by

the surviving officers of the *Morro Castle*. Notable and brilliant exceptions exist of course; but when one reads the testimony of Captain Turner one wonders how such a man could be entrusted with so great a responsibility.

It must be remembered that this Board of Trade Inquiry was not a judicial proceeding. Indeed, the Solicitor General remarked: "Of course, had this Inquiry been conducted in public, your Lordship would have had the assistance of counsel, who would presumably have been, or would have thought themselves concerned, to establish as either against the owners or the master some degree of responsibility." The Solicitor General begged Lord Mersey to consider the points he made against Captain Turner "very, very carefully." Doubtless Lord Mersey did so, but he waived them all aside. Throughout the proceedings the Wreck Commissioner remarked that "even if the Captain has failed, the worst is an error of judgment," which certainly hardly characterizes a perfectly deliberate disregard of orders. Again and again Lord Mersey put a favorable construction upon Captain Turner's answers; it might almost be said that he coached him as to how to reply. At one time, as will be shown later, he felt that the Captain might have been a "bad master," but by the time the case was over the noble lord plainly decided to give Captain Turner the benefit of every doubt and to give the enemy no opportunity to allege that the disaster, or its magnitude, was in part due to the inefficiency of the *Lusitania's* captain.

As for the charge that he had slowed down to eighteen knots per hour, Captain Turner admitted the fact at the outset. It is one of the grim elements of the tragedy that up to that time in the War no ship had been torpedoed which ran at a

speed of twenty-one knots or above and the *Lusitania*, as stated, could make twenty-five. When the War broke out, however, both the *Lusitania* and *Mauretania*, in order to save precious fuel, were instructed to use only eighteen out of their twenty-four boilers, thus reducing the maximum speed to twenty-one knots. On the morning of May 7, at 8 A. M., the Captain reduced the speed to eighteen knots. Soon after this the fog appeared and her speed was further reduced to fifteen knots. About eleven o'clock the fog began to lift and her speed was again increased to eighteen knots. The reason the Captain gave for this extraordinary order in view of the fact that greater speed meant greater safety was that if he continued at twenty-one knots an hour he would have reached the bar off Liverpool too soon because of the tide and that he did not wish to be loafing around the bar for fear of submarines.

The Attorney General at once made him admit that he could have wasted time by standing much further out to sea and then coming back to land, and then made him admit that he had gone far out to sea at Fastnet and that if he had then continued to stay out and not approached land he would not have arrived at the bar ahead of time.

Why, then, did he take the shorter course of going near the headlands in direct violation of Admiralty instructions of April 15th?

The instructions read as follows: "German submarines appear to be operating chiefly off prominent headlands and landfalls. Ships should give prominent headlands a wide berth where not otherwise directed in these notes." It was his disobedience of these instructions and his running in toward the coast which gave him the surplus time and led him to the

disastrous error of slowing his ship down to eighteen knots.

Captain Turner's defense was, in his own words, "I had to find my position. . . . Yes, I wanted to find out the ship's position." The Attorney General then asked him: "Even if you had put off finding your exact position, you could have waited?" The Captain replied: "I could have waited, and it might have come on foggy; then we should have been worse off." When the Attorney General asked him whether he could not find out his position "approximately from your navigation," he replied: "I do not work on approximation if I can get a proper fix," by which he meant if he could get his position by utilizing the coast line. Later the Solicitor General tried in vain to ascertain from "the professional gentlemen who sit with your Lordship" whether there was "the slightest difficulty, or that I am wrong that a sextant observation would have been adequate to determine his position with complete safety; or, if I am wrong in saying that, whether at any rate at this time there was not the most ample means of ascertaining his precise position by taking cross-bearings." But the "professional gentlemen" refused to answer the question. Finally Captain Turner admitted that he had most favorable conditions for finding his position by the usual use of the sextant. It was bright, clear and sunny, after the fog lifted. When asked why he did not order his officers to do this, the Captain replied: "Because the officers were more particularly looking out for submarines and periscopes." "But you could have got them [the observations]?" he was asked. "Yes, you could have got them, decidedly. The weather was quite clear." He also admitted that he could have checked his position by cross-bearings without coming in to land to get his fix or his 4-point bear-

ing. My American expert writes me that "Captain Turner's anxiety to establish a position by shore-bearings showed lack of confidence in his own astronomical navigation. His reduced speed, also, was an error, almost as if he were planting the ship for an attack."

The zigzagging issue was promptly settled when the Attorney General asked the Captain: "Did you zigzag the boat?" The answer was "No." "You were told to do that?" "I understood that it was only when you saw a submarine that you should zigzag," came the incredible reply of the Captain—just as if a ship had time to zigzag after observing a conning tower or periscope in its neighborhood! Sir Edward Carson, the Attorney General, thereupon read to the Captain the following extract from the official order:

War experience has shown that fast steamers can considerably reduce the chance of a successful attack by zigzagging—that is to say, altering course at short and irregular intervals, say ten minutes to half an hour. . . .

The Attorney General again asked him: "Did you zigzag?" Captain Turner could only answer "No." Yet Lord Mersey declared that this deliberate disregard of Admiralty orders "cannot be fairly attributed either to negligence or to incompetence"! How could Captain Turner have read that order and then honestly maintain that he was not to zigzag until he saw a submarine?

In his defense of the charge against him that he had disobeyed the positive Admiralty instructions reading "most important that vessels passing up Irish or English Channels should keep a mid-channel course," Captain Turner admitted that he had received and read these instructions and then undertook to say that although he was only eight or ten miles off the coast

he was in mid-channel. The Attorney General naturally could not let that pass. "You knew," he asked "that was not mid-channel or anything like it?" In reply the Captain raised his guess as to his position to fifteen miles off land. He previously had hedged by saying: "I did not think that it was mid-channel exactly, but I thought I was far enough off the land." When asked how wide the channel was where the *Lusitania* sank he could not at first form any idea. "Is it a thousand miles wide?" asked Lord Mersey. "No," said Turner, "it might be thirty or forty miles." A minute later he admitted that it was 140 miles wide. Yet he deliberately had tried to make the Commissioner believe that ten or fifteen miles was mid-channel.

In his summing-up the Solicitor General said: "... I do not propose to spend any time in arguing whether this was mid-channel or not. The only observation I would make upon it is that it certainly was not mid-channel in any language of geographical precision." The Attorney General insisted to the Captain: "What I am putting to you is that you never for a moment tried to carry out what the Admiralty laid down." Turner could only reply: "I thought I was trying my best anyhow." The Solicitor General conceded, however, that the Captain was entitled to some discretion in modifying his mid-channel orders at one point of his course if he heard there were submarines active at that place. Later on Captain Turner guessed that if the *Lusitania* had not been sunk the course he was steering would have taken him twenty-eight miles from shore. The Solicitor General promptly proved that this figure was quite erroneous and should have been sixteen miles. Yet this statement was from a captain who for years had been navigating those waters.

Even the legal representative of the Cap-

tain and the Cunard Company, Mr. Butler Aspinall, said: "At the outset of my remarks on behalf of the Captain what I want to emphasize, and I think it is a material matter, is this, that the Captain was, undoubtedly, a bad witness, although he may be a very excellent navigator." But Lord Mersey would not have it that way. He came to the Captain's rescue in the following extraordinary dialogue:

The Commissioner: No, he was not a bad witness.

Mr. Butler Aspinall: Well, he was confused, my Lord.

The Commissioner: In my opinion at present he may have been a bad Master during that voyage, but I think he was telling the truth.

Mr. Aspinall: Yes.

The Commissioner: And I think he is a truthful witness. I think he means to tell the truth.

Mr. Aspinall: Yes.

The Commissioner: In that sense he did not make a bad witness.

Mr. Aspinall: No.

The Commissioner: He made a bad witness for you.

Mr. Aspinall: Well, what I was going to say about him was this, that it was very difficult to get a consecutive story from the man, but I was going to submit that he was an honest man.

What a pity that Gilbert and Sullivan did not set this to music!

V

Making all allowance for the shock of the disaster, and the difficult position in which Captain Turner found himself, I submit that the man proved himself mentally inadequate for such a command, and guilty of such grave mistakes in judgment in his disobedience of orders as to render it absolutely certain that he jeopardized his ship unnecessarily and contributed to the disaster — unintentionally, of course. It is piti-

ful to read this testimony and to remember the precious lives that were in his hands to be flung away. It is true that the Captain kept his head when the disaster occurred, gave his orders promptly and clearly, showed no signs of confusion, and went down with his ship in the best tradition of the sea. For that he deserves all credit. But that cannot obscure the fact that if, as the Attorney General suggested, he had taken his observation at sea and stayed out from the land as he was doing when he passed the Fastnet, the Lusitania would never have been sunk. He has, however, been wrongly charged with not having swung out his lifeboats. That, as I have said, had been done the day before, and they had been provisioned. He did close the port-holes, but did not issue life preservers, as later on the Admiralty required to be done whenever a ship entered the submarine zone; and he made the fatal error of reducing his speed to eighteen knots. If the latter is excusable as a mere error of judgment, it was ghastly enough in all conscience.

One thing must be added. The sinking of the Lusitania was a godsend to the Allies, for they felt certain that it would bring the United States into the war, and

the British public was dreadfully disappointed when the United States did not immediately enter the struggle. It is a curious fact that the leading editorial of the London *Times* of May 8, the day after the disaster, had not much space for expressions of regret for the loss of life, but plenty of room for its discussion of the relation of the United States to the crime. Two days later, however, it wrote that: "The full horror of the crime of the Lusitania has now been revealed." It thought it probable that a doubt had "entered President Wilson's mind" as to whether any nation could continue to maintain amicable relations "with a Power so sunk in moral and mental degradation. . . . Unless Berlin is entered, all the blood which has been shed will have flowed in vain." It thought, however, that: "These murders at sea are no worse than the devilish contrivances by which soldiers are being poisoned and condemned to lingering and painful deaths," by poison gas. Which makes interesting reading in view of the fact that today, twenty years after the sinking of the Lusitania, poison gas and the submarine are standard equipment in the armies and navies of both the United States and Great Britain.

LOVE AFFAIR

A Story

BY SALLY BENSON

SUDDENLY, while she was getting dressed, she had the feeling that something was going to happen to her. Something exciting, like falling in love. Although falling in love had never been exciting for her. But she felt it could be.

It would be nice, she thought, to fall in love with someone and not feel after it was all over that you had been the victim of circumstances. Men who looked quite ordinary and uninteresting at first sight somehow managed to build themselves up, in a month or so, to look almost desirable. After all, if a man telephoned two or three times a day, sent the right flowers at the right times, and took you enough places, it was easy to put your head on his shoulder in the car going home and say, for instance, "Of course, I love you, Larry. You're such a dear." It was funny how you could hear yourself saying it, too, in an English drawing-room comedy voice. And, at the time, lying back in someone's arms, watching the lights go by, you almost meant it in a far-off way.

But she had found that this sort of self-delusion wore out very quickly. It stood to reason that a man who, at first sight, seemed stodgy and commonplace would seem more stodgy and commonplace at the end of five or six months. Even though in the period between, he might manage to create some sort of spark. She had known a number of sparks of this sort. And she was very tired of them.

Now it was getting toward the end of summer and she had been feeling listless and cross, until, suddenly, getting dressed, she had had this funny expectant feeling that something was going to happen to her. It would be very strange if nothing happened because she couldn't remember having felt this way just getting dressed before. She had a hurried feeling as though she were late for something. Then, for a second, she had the dreadful thought that maybe nothing would happen after all. This dance she was going to at the country club might possibly be like all the other dances she had been to this summer. There would be the young married couples who flirted with one another, the weekend guests, strangers from the hotel who were ignored by the people who owned cottages, and the kids who danced and danced and seemed to like it. There were only a few unmarried men her age and she knew them all. One of them, Harry Sloane, had asked her to go with him tonight. But she had refused, which was odd, too, when she thought of it. Because it really was better as a rule to go with someone and be sure of the first dance anyway. No, it was a certainty. She was going to meet someone there.

She began to dress more carefully, taking infinite pains with her hands and nails and the seams of her stockings. She leaned close to the mirror and took the shade from the light so that she could examine

her face for any possible flaw. But she was all right and she looked excited and happy. She decided to wear a blue dress instead of a black one, although the black one was newer; for, surely, no one ever fell in love in a black dress. People looked back years afterwards, she knew, to the moment they fell in love and she wanted to remember that everything about herself had been just right.

The dreadful feeling that she might be wrong passed away entirely and the thought that she was really going to fall in love filled her mind. As she left her room, she looked at it as though she were seeing it for the last time, because she was terribly sure that it would never look the same to her again. The room wouldn't matter to her so much after tonight.

She decided to drive around the shore road. She wanted to see it, not as a familiar thing, but as a new and exciting thing, the way it would look to her when she drove home later.

Outside it was cool and a little misty and the air smelled of cut grass and the salt marshes. She was glad there was no moon because moonlight nights were all the same, while the mist changed things and made them unfamiliar. The mist over the water, the smell of the air, and the sound of the fog horn far away on Faulkner's Island were things that she could remember as long as she lived. The top of the car was down and the leather seats were wet with the mist, too.

A quarter of a mile down the road, she pulled over far to the right on a bluff overlooking the water and turned out the lights. She thought she might be too early and she didn't want to be, even if she was impatient. Besides, she wanted to sit alone and think and anticipate what she knew must happen to her tonight. It would be

better for him to be at the club first, sitting, say, at the little table by the fireplace facing the door so that he would see her the moment she came in. That would be the end for both of them, when she came in.

She put her head back and looked up at the sky, trying to imagine what he would look like, trying to make him more definite. But all she could see was someone sitting at the little table, alone, waiting for her. He would look at her and she would look at him, and then, she supposed, he would have to look around for someone to introduce them. It would be wonderful, of course, if he could just walk toward her as though he couldn't help it. She had read that people were sometimes drawn by an irresistible power. But she felt that was asking too much. Anyway, they would meet and they would dance and everybody at the club would notice them. People would talk about that meeting afterwards, saying that anyone with half an eye could have seen it was a case of love at first sight. She could hear what they said. "I wish you had been there, my dear. The way he looked at her when she walked in that room! You could see it was all over with him from the start. All over for both of them."

Sitting in the car, with her head back, she wished that he wouldn't know any of those people at the club. She was afraid anyone who knew any of them might possibly be like them, a little anyway. And she was dreadfully tired of them. She wanted him entirely different. She hoped he would just happen to be there tonight in some mysterious way. As if, for instance, he had been driving through town and his car had broken down or, maybe, he had a boat of some sort that he had to stop to repair. Or a plane. These details began to annoy her so she dismissed them.

Well, they would meet, and they wouldn't have much to say to one another at first. She made up little snatches of conversation but they had a horribly pat sound like things she had heard before. "Now I know why I'm here," "When I saw you, you did things to me," "Say, you can dance." She could only think of the things that had been said to her, yet she knew there must be other things to say. And when he said them she would know how to answer him. Between dances, they would sit on the wooden steps of the porch and talk and smoke. Or, they would sit on the sea wall, their legs hanging over until the waves almost touched their feet. After a while, he would say something like, "Isn't there someplace we can go away from all these people?" No, she thought. He wouldn't say that. He would say, abruptly, "Let's get out of here." Because he would despise all those people at the club and he would understand that she despised them, too. They would want to be alone. And she would bring him here to this very spot. Then he would kiss her. There wouldn't be any preliminary love-making because it was a real love affair. He would just kiss her.

When she thought of the way he would kiss her, she sat up suddenly, opened the door of the car and got out. In the dark she felt her way to the edge of the bluff through the coarse grass to a place where she knew there was sea lavender growing. She picked a piece of it and rubbed it between her palms to see if it had any scent. But it hadn't, and only smelled earthy and damp. She tucked it in the pocket of her coat and stood there looking around her through the mist. Near the water, she could see Cutler's little shack where old man Cutler sold clams and lobsters. And she thought she must remember to take him there tomorrow. Old man Cutler would

open clams for them and they could eat them from the shells, cool, salty, and a little gritty. She could see the old breakwater and the big rocks with the waves breaking over them.

There were all sorts of things they could do tomorrow, things that had become stale to her but that would be fresh again with him. They would be as exciting to do as they had been the first summer she had done them. The summer she was eighteen. Unless you were very young, she thought, nothing much was worth doing alone. They could drive along the river and ride on the old ferry that never was on the side of the river you were on so that you always had to wait. They could explore the little stream that ran through the salt marshes and catch crabs. They could have lunch at the place by the falls where they never had the things that were printed on the menu. They could explore the old cemetery with its crumbling red tombstones and be sentimental over the inscriptions. They could visit the lighthouse at Harpers' Point and walk on the white bleached shells that felt sharp even through your shoes. They could do all the things she had once done with delight and hadn't done again.

One thing was sure, they wouldn't do any of the things she had been doing in the last few years, like having lunch at the club in the room with the wicker chairs, ordering drinks under the umbrellas on the club beach, taking the Post Road because it was the quickest, playing tennis when it was too hot, and riding, riding, constantly from one place to another in yellow roadsters. They would do little things alone together.

She walked back to the car, lighted the dashboard light and looked at her watch. It was almost ten, later than she thought. She bent toward the light and powdered

her face and took out her comb, brushing back her hair which was damp and beginning to curl. Then she started her car and drove on.

There were a great many cars parked in front of the club, more than the usual number, it seemed. And she looked them over carefully trying to identify some of them, trying to see if there was any new outstanding car that might have brought him there. But it was too dark to see much. She could hear the orchestra playing, "I've Told Every Little Star," and she stood still in the dark with her eyes closed, waiting until they had finished. Then she walked up the steps of the club, sure of herself and sure of what was about to happen.

At the little table by the fireplace, old Mr. and Mrs. Conley were sitting, a few strangers from the hotel were uncomfortably gay at the big table by the door, and the other tables were occupied by parties of married couples that she knew who waved to her as she came in. But in her desperation, her eyes kept searching the room and she saw Harry Sloane coming toward her. Her voice sounded very flat when she spoke to him. "Hello, Harry. Anything new or exciting tonight?" she asked.

He kissed her lightly on the cheek. "Hello, Ruthie," he said. "No, nothing new and exciting. Same old crowd. Come on, let's dance."

ENGLISH POETRY SINCE BROOKE

BY L. A. G. STRONG

A MOVEMENT in poetry lasts as a rule anywhere from fifteen to thirty years. Of these, the first are years of revolution, chaos, and wild experiment. Then the wave sweeps to a peak, and the genius or the greatest talents of the movement do their best work. After that, the movement declines. It becomes conventional and respectable, till it in turn is rebelled against by a new movement.

That the faltering course of English poetry from 1914 to 1930 has followed no such definite lines is due to the World War. Besides taking toll of actual poets, such as Owen, Sorley, Mackintosh, and of heaven knows how many potential poets, it laid its mark heavily upon whose whom it left alive. The natural lyric impulse of youth was dammed up, or distorted into the channels of satire or prose. The War may have made an Owen, but we might as well argue that it marred a Sassoon. Brooke was almost the only poet to react in the traditional way, with results that have made it difficult to estimate his real significance.

In spite of the title of this short survey, a few words about Brooke will not be out of place. The war poems and the circumstances of his death combined to give him an extraordinary fame with people who as a rule read no poetry. His name in consequence became a battle-cry, and the young poets were led automatically to decry him as a kind of poetic best seller, in the tradition of Tennyson. Yet in actual

fact Brooke was a pioneer, without whom much of the freedom enjoyed by modern poets would have been impossible. He once observed acutely that the importance of Browning to English poetry was that he made colloquialism respectable. Brooke's importance was that he carried on, in his different idiom, the same good work.

And I shall find some girl perhaps,
And a better one than you,
With eyes as wise, but kindlier,
And lips as soft, but true,
And I daresay she will do.

This struck a new note. Its debt to Housman may be guessed, but it has a shirt-sleeved, open-at-the-neck quality which was entirely missing from the poetry of the time. Brooke was a ready experimenter, and many a subsequent poet who condemns him is profiting by freedom borrowed from an unsuspected creditor.

At Brooke's death there is no doubt what poetic party was uppermost. Since the first of Edward Marsh's anthologies, the Georgians had been the fashion. The term Georgian is vague, and it may seem meaningless to use one label for a group of poets so dissimilar; Ralph Hodgson and W. H. Davies would upset any collective apple-cart. Yet the phrase "Georgian poetry" does mean something, and, when the necessary exceptions have been made, the poets gathered under this somewhat refined banner shared certain qualities. Their verse had at its worst a gentlemanly

quality. It expressed the entirely praiseworthy reactions of the cultured and sensitive man of letters. It was soothing, reassuring. Its outbursts of indignation were directed against precisely the right objects, and were timed for precisely the right moment. The verses were neat, and expressed with many a pretty turn of fancy.

The ordinary things of life were observed anew, and celebrated with a somewhat finical vocabulary. Above all, the Georgians discovered the English countryside. In this they probably took the lead from a genuine and highly original poet, Edward Thomas. At any rate, they set out, an orderly band, by footpath and spinney, and occasionally even ventured a few yards by themselves into the thickets. A robust little journal, the *Countryman*, edited and published in the heart of Oxfordshire, includes among its list of editorial requirements the warning, "Townee sentimentalising about the country barred." This blunt phrase could have been inspired by an experience of Georgian nature poetry. Though the Georgians numbered among them at least one genuine nature poet, a great deal of their verse is of the "Oh to be in Mympington where maids are brown as beer" order.

The central figure of the party was probably Walter de la Mare. De la Mare is a scholarly and cultured poet with an astonishing streak of imagination. In his early work he retreated from the harshness of contemporary life to a simple vocabulary and an awareness, sharp as a child's, of a dream world. This worked well while his imagination was content with it; but the imagination was powerful. It had a macabre quality, and soon de la Mare had recourse to prose in order to satisfy it. Its sinister discoveries would have burst the bottom out of those delicate verses, would have convulsed and agonized the

light, supple muscles of that vocabulary. To keep his poetry exquisite, he had, unconsciously, to exclude from it the full force of his imagination. The result has been disharmony and, latterly, silence.

This is a cursory and probably an unfair account of a fine poet, but it suggests a certain unsoundness in the Georgian attitude which finds support from the even longer silence of another Georgian poet, Ralph Hodgson. Hodgson is a poet of the utmost integrity, with a streak of real genius, but the sympathetic reader will suspect that often he is working at cross purposes with his muse. The disharmony, in his case also, seems to lie between imagination and vocabulary. He is a baffling poet, and should be the subject of a long study. His first book, *The Last Blackbird*, showed originality and excited interest, but it was the *Poems*, published in 1917, which won him immediate fame, and still keep their hold upon the market.

This was one of the most striking single volumes of the century. The poems offer difficulties to the critic, because the weakness of one is the strength of another. A too-arbitrary vocabulary, which spoils one poem, will be the very essence of the next, and give it its power. Hodgson's difficulty has been that humanitarianism and an intense love of animals are not easy to express in poetry, and that for the later ferocity and directness of his mind his verse technique has proved an inadequate vehicle.

The third poet of simple vocabulary, W. H. Davies, is in a different case. His technique, modelled on the Caroline poets, remains adequate because of the innocence and simplicity of his vision. Now and then, in his later work, he gets out of his depth; but as a rule he persuades us easily that he has seen what he records, and that there has been no leakage or overflow.

Each of these poets has a streak of genius—Hodgson's possibly being the strongest—and no movement to which they belong could be negligible. There were other genuine poets among the Georgians, of whom, if one be mentioned the omission of the rest must be unfair. Since, however, unfairness cannot be avoided in any brief survey, mention must be made of the sombre and self-controlled talent of Harold Monro whose Poetry Bookshop did so much for poetry in England, and of the North Country poems of Wilfrid Wilson Gibson.

II

The first revolt against the Georgian ascendancy was made by the three Sitwells, Edith, Osbert, and Sacheverell. *Sitwellism*, to use a term more often in the mouths of enemies than of friends, infused into English poetry a welcome draught of freshness and courage. The attacks upon it were very much like those which are made upon birds of bright and unfamiliar plumage when they are unfortunate enough to get loose in the countryside. Such attacks made *Sitwellism* into a militant creed, and as such it had its extravagances and its absurdities; but its courage was as undeniable as its vigor, it was fresh and young, and it produced some lovely work. In so far as it has a common character (for Osbert is a satirist), it was concerned with the refining of sensation, and the loosening up of vocabulary by an interchange of sense images.

Often a lyric ingenuousness swept aside the poets' own theories, and kept them from becoming pedantic. Their work had more immediate affinities with music than with any other branch of contemporary art, and to both poetry and criticism it brought a happy impertinence which was soon seen

to rest on common sense. Edith Sitwell will always have an honorable place in the history of English criticism, if only for tirelessly pointing out that the inability of the man in the street to comprehend new poetry might after all give us information about nothing but the man in the street.

From the first, Sitwellism was abhorrent to the reigning school, and a strong feud developed between it and the London *Mercury*, which had become the reigning school's chief organ. The warfare continued in a desultory manner for several years, all the challenges coming from the one side, while the *Mercury* pursued its dignified path unperturbed.

Once the war was over, there was something of a boom in English poetry. Hitherto, Cambridge had been the nest of singing birds, but now, by way of compensation, there gathered together at Oxford a remarkable collection of new poets. Almost all of them had seen service in the War, and were therefore older than the normal undergraduate. Of these Robert Graves had without doubt the greatest allowance of raw genius. A highly original writer, owing nothing to his contemporaries and immediate forbears (the gospel of all these poets was *A Shropshire Lad*, but they were too conscious of it directly to show its influence), Graves particularly admired the harsh and ingenious Skelton, whose lessons he adapted with great skill to the time. A series of books, each stronger and surer than the last, put him in a commanding position. Then he turned philosophical, lost something of the directness of his utterance, and with it his hold upon the public attention. A recent volume shows, if anything, increased power, and suggests that he is secure from contemporary attention or inattention.

Robert Nichols, another war poet, worked upon more traditional lines, and

at first seemed likely to add a new note to the iambic line. His best work has an Elizabethan quality; but latterly he has turned away from poetry. A third, Edmund Blunden, takes his place at once in the great pastoral tradition of English poetry. Blunden and another poet, V. Sackville West, between them rescued English nature poetry from the Georgians, and restored it to its place. It had already been strengthened by a long poem, Masefield's *Reynard the Fox*, which proved that it was still possible for a man of vision to see Chaucer's England. This poem definitely earned Masefield the laureateship.

These poets all write of what they know. I have heard farmers discussing Miss Sackville West's long poem, *The Land*, not as poetry, but as a manual of country matters. This in itself would be no commendation: the works of Erasmus Darwin might in their day have been so discussed for the information they conveyed: but, taken in conjunction with the fact that *The Land* was immediately acclaimed by poets, it means a great deal. No one would have discussed Georgian nature poetry for the rustic information it conveyed. Both Blunden and Miss Sackville West are still, happily, writing. They are developing, and there is no sign that either is likely to stop. Nor are they by any means only "nature poets."

III

The greatest single influence in modern English poetry came, not from within, but from America. The appearance of *The Waste Land* was a milestone, and T. S. Eliot became the idol both of the metropolitan intelligentsia and of the universities. His influence upon English poetry has been for the most part disastrous; but that was not his fault. The trouble was that

it was easy to ape his methods without in the least understanding them or entering into the spiritual pain which underlay his work. Every intelligent young man was encouraged to write long semi-private poems requiring liberal annotation, to state his conflicts without resolving them, and to make a virtue of unintelligibility.

Why these errors should result from Eliot's work is not apparent to anyone who reads it carefully; but it was not read carefully. Like that of Lawrence, the name of Eliot became a battle-cry, familiar and abhorrent to people who knew nothing of either except through their disciples. It has taken most of ten years for Eliot's influence to be digested and understood, and to inform a new poetry. This is not to say that there were no other distinguished sojourners in the waste land. A mood of disillusion so widespread must, by the nature of things, have had more than one exponent. But the mass of bad poetry provoked was written, as it were, in the name of Eliot, and the poets were approved only in so far as they seemed to accord with the prevailing fashion.

Upon contemporaries and seniors *The Waste Land* produced scant effect, beyond their personal reactions to it. Many of them understood it pretty well, but their admiration was no more heeded than their detraction. Even today, many of Eliot's admirers cannot get it into their heads that the older generation of poets, the fifty- and sixty- and seventy-year olds, have many of them sympathetically read and studied Eliot, and come to definite—if temperate—conclusions. His young disciples insist on believing that his work must be anathema to older poets, who could not possibly understand it. This is a remarkable error.

Eliot's influence, however, has been far from valueless. Criticism it has stimu-

lated from the first, since he is not only a fine critic himself, but a cause of criticism in others. It will probably be held that English poetic criticism has made great strides during the past ten years; and much of this must be laid to Eliot's credit. And, now that there is a genuine new movement in English poetry, a rebellion which is not merely a knocking over of Aunt Sallies, it is clear that those responsible for it could not be writing as they are if Eliot had never been. They are not in any direct sense disciples, but they have at command a poetic equipment which has assimilated Eliot.

The three chief poets of the movement, W. H. Auden, Cecil Day Lewis, and Stephen Spender, produce very dissimilar work, and have little in common. Their names are bracketed, simply, as one of them has suggested, because there is so little competition. They share a nucleus of political philosophy and a dislike of the Georgians. They differ in outlook, temperament, manner, and technique. Auden, whose first poems ran on traditional lines, is a satirist. He is immensely talented, and his work, though difficult—unnecessarily difficult—demands and rewards close study. He has sufficient ability to be allowed to know his own course best, but it is fair to say that his achievement hitherto is semi-private, in the sense that those who know him personally have a better chance of understanding it than those who do not. One of the most interesting figures in contemporary English literature, he has not yet found his length.

In complete contrast to him is Spender, a lyric poet, perceptive, quick, emotional. Spender is at his best when strongly moved. When he thinks, he is less satisfactory. His achievement is very unequal, but he is one of those who have an immediate right to be judged by their best

work; and in half a dozen poems, and isolated stanzas from other poems, Spender is very impressive indeed. His vocabulary works in more than the usual dimensions, in that it can unite physical and psychological images in a single act of perception. His swiftest images have an instant and compelling appeal to the eye and to the mind:

And left the vivid air signed with their honor.

What distinguishes him and the third poet, Cecil Day Lewis, from the poets of the Eliot school is the warmth of their response to the emotions of ordinary life. They work with the intellect but not in terms of the intellect. This is particularly the case with Day Lewis, whose emotions, though as strong, are under firmer control than Spender's. Day Lewis began preciously, and heavily annotated an early poem. Then, with an extraordinary opening out of his powers, he took the ordinary experiences of love, of expectant and actual fatherhood, and wrought from them a poetry which, the work of Yeats excepted, blends thought and feeling more satisfactorily than anything written in recent years.

The theoretic communism at the back of these writers (it is noteworthy, by the way, that Day Lewis is essentially a poet of the aristocratic type) is of importance only in so far as it informs their work. They and a great many other younger poets insist that, to be alive, poetry must take note of the difficulties and social chaos of the time. They deride the Georgians and most modern nature poets as refugees from reality, escapers who are dodging their responsibilities. This attitude seems, on the surface, highly questionable. First of all, it begs the question whether in contemplating nature a man

is not living as intensely as when he is contesting an election on the Communist ticket. It also rules out the contemplative life, an exclusion which history has always shown to be disastrous.

Even so, to make the theory a basis for an attack upon the poetry is a serious error. Over a hundred years ago, Coleridge was advocating a communistic theory of life as fiercely as does any modern poet. His pantisocracy is today a mere memory, as are Shelley's political theories and the revolutionary ardors of the young Wordsworth: yet these things fed the minds that harbored them. That is the real point. What a poet believes is of no importance except for the result it has upon his poetry. The theory from which a new movement in English poetry is rising may be sound or unsound, but it is in itself no grounds for attacking or defending that poetry, and its final importance must lie in the work which it inspires.

IV

Auden, Day Lewis, and Spender are all Oxford poets. At Cambridge, the tendency has been for literary energy to flow into critical channels. One poet, however, Ronald Bottrall, has attracted considerable attention. The others show more promise than achievement. It is too early yet to guess what John Lehmann will do, and we shall never, alas, be able to do more than guess what would have been done by Michael McKenna, who died in 1931. This poet, whose works are privately printed, was very unequal, but at his best seemed close to genius.

How long beholding the sweet early skies,
How long hath been thy face upturned to
God,
That so blue sapphires sparkle in thine
eyes
And angel's gravity hangs in thy nod?

Was it the wavelets on the eternal sea
Or the thin cloudy sails that steal the
wind
Or just yon boundlessness transforméd
thee,
Dawn of my night, whom I shall never
find?

I saw thee once amid the mountain grass,
Once looked I in the deepness of thy
dream,
But then, my dawn, there was a gulf to
pass,
For thine was love, and mine did only
seem.

There has been no room here in which to take account of the many poets who have been working away steadily on their own, poets who cannot be covered by the wing of any movement or school. Verse drama has been safe in the hands of T. Sturge Moore and Gordon Bottomley. Bridges went his way respected, achieving just before his death a great public success with his *Testament of Beauty*. Roy Campbell, the South African poet, startled attention with his *Flaming Terrapin*, which he followed up with some fierce satire. The quietist Richard Church, and the bellicose Herbert Palmer, went each his characteristic way.

Ireland falls outside this survey, yet cannot be left wholly outside, since for many years English poets have united in acknowledging W. B. Yeats as their leader. He commands today the respect of all, old and new. Eliot has blessed him, and he influences at three score and ten a fresh generation as powerfully as he did the young poets he met when he was young. Irish poetic history during this period has been, in brief, the rise to dominance of Yeats, and the fall to comparative silence of other poets of the Celtic revival. There have been few new figures. By the death of Brooke, O'Sullivan, Joseph Campbell,

and James Cousins had mostly said their say. The serene, broad river of A. E. flowed smoothly on; Colum's candid, innocent stream is still running; Stephens, though he has sung magically once or twice, is latterly silent. Two younger men, Austin Clarke and F. R. Higgins, have done interesting and beautiful work. The only Irish poet caught by the intellectual school would seem to be Lyle Donaghy.

The strong nationalist movement which is springing up in Scotland at present finds more expression in the novel than in verse, but it has produced at least one authentic

poet, *Hugh MacDiarmid*, who writes powerfully in the vernacular.

As will be seen from this, there is little definite to report of English poetry since Brooke died. Except for the Sitwell revolt, till about 1930 it lay in a backwater. The new revolt has only just begun, but its roots lie deep, and we may prophesy with some confidence that the increased interest in the short story, and in novels of a certain type, will be paralleled by an increased poetic activity. Unless distracted by political convulsion, the next fifteen years should have a different story to tell.

THE ROAD TO DICTATORSHIP

BY MOREY STANLEY MOSK

CONTEMPORARY history has created the prevailing impression that dictators come on white horses and that fascism invariably wears a colored shirt. It is believed that such a regime necessarily involves coercion, is anti-parliamentary, and thoroughly irreconcilable with constitutional government. As the Mussolinis, Stalins, and Hitlers have ascended in a world that two decades ago was made safe for democracy, we have been confronted with evidence that only naked militaristic domination impregnates the fascist order.

The red bogey of communism has admittedly brought about the ascendancy of the dictator in world politics today. For whether or not one adheres to the belief that society is divided into the two classes of proletarians and bourgeoisie, as suggested by the Marxian dichotomy, it is apparent that a decisive alternative to a proletarian dictatorship is a dictatorship of the upper classes. Exploiting this bourgeois urgency, and adding a pragmatic combination of absolutism, Machiavellianism, Toryism and Chauvinism, the omnipotent executive today has charged forth as the champion of an ailing capitalism. In each case to date, the champion has been supported by displays of armed force that quell even thoughts of opposition. But is such military aid an essential requisite to the reign of a dictator, or has it been merely coincidental? If we ever have a dictator in the United

States might he not come to power constitutionally?

Through the years of this country's existence, one thing has been beyond the reach of change, and that is the American citizen's conviction, amounting almost to a superstition, that his liberties and rights have been enshrined to perpetuity in a sacrosanct form of words, his written Constitution. But, since the doctrine of strict constructionism died with the Louisiana Purchase by President Jefferson in 1803, American presidents have indicated clearly that to them constitutionality is not a tangible fact, undeviating and precise. The Constitution to them has not meant an instrument to be worshiped, but rather a workable guide, or, as a contemporary authority writes, constitutional law, at any given time, is the then current theory of what ought and ought not to be done under the Constitution, a legalistic expression of the prevailing political and economic philosophy.

Under that practical doctrine of flexibility, a dictatorship in this country, by becoming the prevailing political philosophy, might conceivably withstand the tests of legality and be completely reconcilable with the Constitution. President Hayes once remarked that the scope of the executive power has never been realized, and the practical use of power, even by an ordinarily strong President, is greater than authorities have ever described. "The real test has never come, because the Presi-

dents, down to the present," he maintained, "have been conservative, or what might be called conscientious, men, and have kept within limited range. But if a Napoleon ever became President, he would make the executive what he wished to make it. Practically the President has the nation in his hands." Concurring completely is Charles Beard, who writes that authority has been "conferred upon the President sufficient to clothe with legality, should occasion arise, even the exercise of Caesar's prerogatives."

Even those who accede to the full truths of the power of the Presidency believe generally that this reality has been accomplished by interpreting the Constitution differently from what its makers intended, by circumventing its provisions, and by utilizing its silences. But there is a growing feeling, as evidenced by various repressive activities, that our Constitution, the key with which we lock our cherished liberties, is a very flimsy bulwark against the encroachments of a designing executive, not only from a negative and arresting construction, but from a positive and stimulating utilization of its provisions.

A review of the Constitution-forming period of the nation will cast considerable light on the manner of interpreting that document. For, as recently as 1928, Chief Justice Taft, in a decision, maintained, "This court has repeatedly laid down the principle that a contemporaneous legislative exposition of the Constitution, when the founders of our government and framers of our Constitution were actively participating in public affairs long acquiesced in, fixes the construction to be given its provisions." Time after time, when a phrase has been found to be ambiguous, courts turn back to the intent of the framers indicated by their conven-

tion debates and letters. Let us see what that intent really was.

II

An examination of the 1787 convention convinces one that a principal aim of the delegates was to make the new world safe *from* democracy, and that had they been at Gettysburg some years later, they would have been horrified to find that they had conceived a nation of the people, by the people, and for the people. "The people," declared Roger Sherman in one of the debates, "should have as little to do as may be with the government." Wrote James Madison in *The Federalist*: "Democracies have ever been spectacles of turbulence and contention, have ever been found incompatible with personal security or the rights of property, and have in general been as short in their lives as they have been violent in their deaths." And in a letter to Edmund Pendleton: "The late turbulent scenes in Massachusetts [Shay's Rebellion] have done inexpressible injury to the republican character in that part of the United States, and a propensity towards monarchy is said to have been produced by it in leading minds." Rufus King expressed his apprehensions that an extreme caution in favor of liberty might enervate the government. Wrote Washington to John Jay on August 1, 1786: "What astonishing changes a few years are capable of producing. I am told that respectable characters speak of a monarchical form of government without horror. From thinking proceeds speaking, thence to acting is often but a single step." Said Elbridge Gerry of Massachusetts: "The evils we experience flow from the excess of democracy. The people do not want virtue, but are the dupes of pretended patriots." Said George Clymer: "A

representative of the people is appointed to think *for* and not *with* his constituents." Of John Dickinson convention notes indicate: "A limited monarchy he considered as one of the best governments in the world. It was not certain that the same blessings were derivable from any other form. It was certain that equal blessings had never yet been derived from any of the republican form."

And so on through a catalogue of the delegates to the convention, with the one exception of the truly democratic aged Dr. Franklin, whose remarks during the proceedings, wrote Madison, were treated with great respect, but rather for the author of them, than from any conviction of their expediency or practicability. The convention delegates were the men of wealth, influence, and education, drawn together by a conscious solidarity of political and economic interests. They were convinced that democracy was synonymous with confusion and licentiousness, and that monarchy, or at least a powerful chief executive plus a check on the sweep of popular majorities, was most desirable for governmental stability. Any other form of government was, to them, merely substituting the tyranny of a sovereign people for that of a sovereign monarch. The spirit that prevailed at the signing of the Declaration of Independence was decidedly absent from the Constitutional Convention. Of the fifty-seven signers of the declaration of human liberty, only six signed the Constitution. The others, discounting the eleven who died prior to 1787, were either unable to meet the varied property requirements imposed by the states as qualifications for delegates, or were active in opposition to adoption of the Constitution.

But the Constitution, as formulated by the representatives of the new-world aris-

tocracy, was adopted. From its conception, then, in the light of the interests and expressions of those who conceived and nursed the instrument, one is compelled to realize that the early makers of our history would be less apprehensive of a dictatorship, were they living today, than are many of our modern journalists and politicians, whose cry is, "Back to the Constitution!" If they should really go back to the Constitution, their zeal for "genuine constitutionality" might be somewhat dampened.

An examination of the Constitution itself for provisions and silences which a hypothetical dictator might utilize, brings to light many noteworthy items. The distinction in the wording of section 1 of Article I, in which the legislative power is granted, and of section 1 of Article II, in which executive power is set forth, is a case in point. The former provides that "all legislative powers *herein granted* shall be vested in a Congress", whereas the latter merely states "the executive power shall be vested in a President." This apparent check upon Congress to enumerated powers alone, without a similar restriction upon the executive, properly may be interpreted as granting to the executive those powers which through the course of political history have been associated with sovereignty.

Exercise of such power, however, would not of itself be sufficient in order to clothe a President with dictatorial powers. The vast inclusiveness of those powers granted by the Constitution to the Congress, if used concurrently with those implied from the nature of executive sovereignty, would result in considerable conflict. Thus for the executive to obtain undisputed superiority, there must be a delegation of powers from the legislative department. In other words, the President, through

his spokesmen in the branches of Congress, must have a surrender of specific powers that constitutionally belong to Congress.

The term "delegation of powers" invariably has caused trepidation in our courts. They have realized that the early leaders of the country were greatly influenced by Montesquieu, who in his *Spirit of Laws*, wrote: "The three powers of government must be kept separate in order that liberty may be preserved. When the legislative and executive powers are united in the same person, there can be no liberty, because apprehensions may arise lest the same monarch enact tyrannical laws, to exercise them in a tyrannical manner." So the theory has been that our entire governmental structure is based on the division of powers into legislative, executive, and judicial, and that any encroachment of one division on another would disrupt the mechanics of the entire system.

But the impracticability of that contention has become apparent even to the courts. Through gradual evolution the modern view has become that expressed by Chief Justice Cullen of New York: "The true meaning is that the *whole* power of one of these departments should not be exercised by the same hands which possess the whole power of either of the other departments." The significance of the modern liberal interpretation is apparent when one realizes that, until the oil code decision handed down January 7 of this year, not a single delegation of powers had been declared unconstitutional by the Supreme Court. In the code, the Court found a failure to set up a standard sufficient to guide the conduct of the President as code administrator. It cannot be doubted that a few sentences of explanatory standards would have compelled the

Court to uphold the oil regulations. From that we may conclude that restrictions upon delegation of powers are mere procedural requirements, and that their substantive effect is negligible.

Thus our hypothetical dictator, if he has the support of a lethargic or impotent Congress, may obtain vast authority for his acts. The authority, it must be noted, however, would lie in adherence to the requisite of formally labeling his acts administrative rather than formulative. What the acts in reality may be is of little consequence for the purposes of determining legality compared to having the proper title and theoretical standards included in the body of the delegatory legislation.

But if the President should not have support of Congress—*i.e.*, more than one-third of the Senate, in order to prevent impeachment—he may exercise what are commonly known as his emergency powers. Like the doctrine of delegation of powers, the contention that greater centralized authority exists during a governmental crisis was originally frowned upon. During the Civil War the Supreme Court maintained: "no doctrine involving more pernicious consequences was ever invented by the wit of man than that any of the Constitution's provisions can be suspended during any of the great exigencies of government." During the World War the Court qualified that doctrine: "although an emergency may not call into life a power which has never lived, nevertheless emergency may afford a reason for the exertion of a living power already enjoyed." And finally, courts reached the result in the 1934 case of *Southern Petroleum Co. v. Ickes*: "necessity confers many rights and privileges which otherwise would not exist."

Up to the present, the emergency powers have been used only in the case of cata-

clysmic disturbances to which our economic and political orders have been occasionally subjected. But they may become a harbinger of vast powers in the hands of the chief executive with which to deal with an emergency, whenever *in his discretion* such an emergency exists. The entire concept of emergency is merely a sugar-coating to induce the judiciary to accept otherwise unpalatable pills. But it serves its purpose. The executive is allowed his discretion in determining when such an emergency exists, and never have the courts held that he has abused that discretion. They invariably maintain that such is a purely political question, and therefore not within the jurisdiction of the court. With such freedom of action, a President may well find that an emergency exists for a decade or even longer.

III

Having now been delegated vast powers by Congress, and having seized others which he desires to utilize by declaring an emergency, a hypothetical dictator would doubtless proceed to fill up governmental positions with his political allies. The Constitution provides for appointments by the President, "by and with the advice and consent of the Senate." The word "advice" in that clause is somewhat ambiguous, particularly in light of the intent of the convention delegates that the initiative should lie entirely with the President. "There will be, of course," wrote Hamilton in *The Federalist*, "no exertion of choice on the part of the Senate. They may defeat one choice of the executive and compel him to make another, but they cannot themselves choose—they can only ratify or reject the choice of the President." But when rejected, as Charles B. Warren, the Coolidge selection for At-

torney General in 1925, the name may be resubmitted continually, and then given a recess appointment as soon as Congress adjourns. The Constitution specifically provides for appointments by the executive during recesses of the Senate.

The Constitution contains no provision concerning removal by the President of any governmental appointees, but there are statutes which place minor restrictions, because of the Supreme Court's decision in the pivotal case of *Myers v. United States* (1926), in which Chief Justice Taft maintained, "The implication must be, in the absence of any express limitation respecting removals, that as his [the President's] selection of administrative officers is essential to the execution of the laws by him, so must be his power of removing those for whom he cannot continue to be responsible." The only complete prohibition on removal is that of the Comptroller General during his fifteen-year tenure of office, and of the justices in the Court of Claims and the District of Columbia courts. There are incidental removal denials to the President, in absence of showing cause to the Senate, in the case of a few other officials, notably postmasters, Director of the Mint, and members of the Interstate Commerce Commission, Federal Reserve Board, and Board of Tax Appeals. But taken as a whole, any President has almost complete power of removal of governmental officers.

To make his position more secure, a dictator might then exercise his diplomatic powers, which, historically, from adoption of the theories of Locke and Montesquieu, and actually, are far-reaching in effect. Not only may the chief executive make treaties with some foreign nations and recognize or ignore others by receiving or refusing admittance to their ambassadors, but he has through usage

acquired three other powers, despite the provision of the Constitution that declarations of war originate in Congress. First, he may recognize a state of war resulting from the acts of some other power and take measures accordingly; this was done by Jefferson in the Barbary States naval engagements in 1801, by Polk in the Mexican invasion in 1846, and by Lincoln in the blockade proclamation of April, 1861. Second, he may take measures which are technically acts of war, in protection of American rights abroad; this was done in the Koszta incident in Smyrna in 1853, by Buchanan in China in 1858, by the bombardment of a Nicaraguan port for failure to protect an American consul in 1854, and in the Boxer Rebellion in 1900. Third, he may take similar measures in the protection of certain inchoate national interests abroad, interests arising out of a pending treaty or a diplomatic policy; this was done pending the annexation of Texas in 1844, during Grant's efforts to secure Santo Domingo in 1871, and by Roosevelt in 1903 to prevent an invasion of Panama by Colombia. Thus it is evident that although legally Congress controls war, the President may take such affirmative steps, or acts of reprisal, that war will be forced upon the nation.

Now that our hypothetical dictator has achieved control of the nation at home and in its relations abroad, it is possible that opposition may arise, violent or legislative or judicial. The ultimate test of any dictatorship is its power of self-preservation. Though this is accomplished by European dictators solely through the use of armed force, with no regard for guarantees of their people, a dictator-president in this country has sanction in the federal Constitution with which to preserve his reign.

Should opposition take the form of im-

peachment proceedings, only one vote more than one third in one branch of Congress, the Senate—thirty-three votes—would prevent conviction. If Congress rebels from the President's dominance, and passes legislative enactments that tend to diminish his authority, the chief executive has his power of veto. Again, one vote more than one third in one branch of Congress would prevent passage of the bill over the presidential negative, for, of course, only a two-thirds vote can override a veto.

Control of thirty-three senators might not always be realized by an unmasked dictator, however. Although generally no less than one third of any gathering may be easily duped by subtlety, one would not be justified in assuming flagrant demagoguery alone to be always equally as successful. Thus the President may find it necessary to dominate a recalcitrant third of Congress by using patronage for a bait, or by exercising his constitutional adjournment power.

Rare indeed is the politician who can spurn patronage, the life insurance for his political career. A senator must have the ability to reward those whom he is dependent for reelection. But failing to swing at least a third of the Senate with patronage, the executive still may rely upon a strained interpretation of section 3 of Article II: "in case of disagreement between them [the houses of Congress], with respect to the time of adjournment, he may adjourn them to such a time as he shall think proper." What constitutes a disagreement within the meaning of that section has never been determined by court adjudication. Thus we may reasonably assume that should the Vice-President or the Speaker inform the President that Congress is in disagreement over adjournment, whether or not in fact it is, the President may exercise that funda-

mental sovereign prerogative of terminating a legislative session. No legislation after that date nor until the "time as he shall think proper" would have any legal effect, nor would appeals to the judiciary avail.

Should the judiciary finally taste the bitter core through the sugar-coating of emergency on the pills given it to swallow, it would be noteworthy that nowhere in the Constitution is the Court given the authority that it has assumed since earliest days to declare acts unconstitutional. Thus, a modern dictator may find it personally expedient to reiterate Andrew Jackson's statement when a decision of the Supreme Court displeased him: "John Marshall has made his decision. Now let him enforce it." In addition, there is the alternative, often suggested by realization that the Constitution does not provide for the size of the Supreme Court, of increasing the membership until it should be sufficient to render majority decisions favorable to the executive.

Finally, we have the possibility of turbulence, which neither moral nor legal suasion can overcome. It is then that section 2 of Article II of the Constitution would assume marked importance: "The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States." As commander in chief, with all the authority of that title, we have, even under the Constitution, placed our dictator on a white horse!

All these powers discussed may be adopted by a designing President who seeks to have himself set up as a dictator, and in doing so to commit no acts that are unconstitutional. Our Constitution, though said to create a central government of enumerated powers only, is not unlike legal codes of the states. In the codes, as

much law as could be intelligently understood has been codified. But, when situations arise which are not covered by the codes, state courts do not feel themselves bound to forego jurisdiction; instead they look to the common law. Similarly, when a President feels that the Constitution fetters him, there is nothing in that document to prevent him from exercising those powers which are generally considered appurtenant to sovereignty.

IV

We have traced the steps by which a dictatorship may be constitutionally established, assuming throughout the discussion that such a dictatorship would be one of an individual representing the bourgeoisie. I have not meant, by such an assumption, however, to preclude the possibility of a proletarian dictatorship, either of communism or socialism, being established by means none the less legal.

A thorough search through the Constitution will disclose not one word of guaranty for capitalism or private property, nor prohibition for any other conceivable economic order. The term capitalism is nowhere mentioned; the fifth amendment provides ". . . nor shall private property be taken for public use, without just compensation." But this provision has always been construed to be merely adjective or procedural law, and in no effect a limitation upon substantive law. One has merely to witness the case of *Chicago, Burlington, and Quincy Railroad v. City of Chicago*, 166 U. S. 226, in which a bridge was constructed over the railroad right of way, and one dollar was fixed as just compensation. And in a similar decision handed down shortly thereafter, Justice Brewer maintained, "All private property is held subject to the demands of a public

use. The constitutional guaranty of just compensation is not a limitation of the power to take, but only a condition of its exercise."

Section 4 of Article IV contains the only provision in the entire Constitution mentioning form of government: "The United States shall guarantee to every state in this union a republican form of government. . . ." But no particular government is designated by the clause as republican, nor is the exact form to be guaranteed in any manner suggested. The phrase simply meant a representative form of government whereby the people delegate to their chosen representatives the power to govern. Hamilton, in *The Federalist* (No. 21), pointed out "the guaranty could only operate against changes to be effected by violence." A reading of the convention discussions of that clause will convince one that Hamilton's interpretation is clearly an accurate expression of the purpose for which the section was incorporated.

Thus we are compelled to the conclusion that the Constitution does not protect capitalism nor private property as such, that it merely guarantees to the states a republican form of government, but it nowhere defines what shall constitute a proper republican government. In fact, on those occasions when the issue has come before the Supreme Court, as, for example, when it has been argued that initiative and referendum are contrary to the spirit of representative government, the Court has summarily dismissed the argument as being a political controversy, and to assume jurisdiction over a political question, of course, would be violation of the basic doctrine of separation of powers.

It has not been, nor can it be denied that the guaranty given to a republican form of government is not the equivalent of a guaranty of a political democracy. We have no democracy; we do have a republic. But the Union of Socialist Soviet Republics is theoretically a republican form of government, too, though also not a political democracy. The comparison suggests that a Marxian socialist state can conceivably exist under our present Constitution. There is no apparent prohibition. For its positive powers, such a dictatorship of the proletariat could make use of those enumerated clauses and omissions which were discussed under the bourgeois dictatorship. They would find their means as similar as their ends are dissimilar.

The Constitution is not a legal strait-jacket, fettering a nation in its attempt not only to pass legislation that may be appropriate to its current political and economic problems but actually to change the prevailing *system* of government and economics. The old theory of constitutional law was the conception of government as a policeman. Government was to be negative and arresting, not positive and stimulating. Its role was minor and peripheral. Today, however, the policeman doctrine is rapidly giving way to a vision of a government able and flexible to meet current problems. It is this very flexibility that is permitting the Constitution to withstand strain and to endure.

A change in our entire system of government, should a more modern philosophy of political science require it—a dictatorship of an individual or of a social class, for example—would be not a violation but a vindication of our Constitution.

HOT OIL FROM TEXAS

BY WAYNE GARD

GIGANTIC moving vans rumble out of the piney woods of East Texas and follow the wide cement road across the horizon. One after another they come, endlessly, suggesting the sudden exodus of a large part of the population. When federal agents become suspicious enough to investigate, however, they find that every van is a camouflaged oil truck carrying bootleg gasoline to some distant market; the racketeers have adopted a new trick.

Oil is the toughest baby the New Deal has tried to civilize. It is still one of the most obstreperous American industries, though it has become the third largest. It is shot through with lawlessness and with flagrant disregard for the public interest. It is squandering the nation's resources with appalling abandon.

The effort now being made in Congress to bring this twelve billion dollar industry under control is opposed by one of the most determined lobbies ever set up in Washington. True, only a small minority of the producers flout state proration laws and code regulations by selling excess or "hot" oil and hire gunmen to keep out government inspectors. Yet the weight of almost the whole industry is being thrown behind these racketeers in the fight to prevent effective federal control at the wells.

The consumer pays the cost of the chaos which pervades the entire petroleum industry. Every owner of an automobile spends more for his gasoline because the

oil companies have built three times as many service stations as are needed for efficient retailing. He pays still more because, in a four-year period, 14,000 wells were drilled in the East Texas field when 1,000 wells would have removed the same oil more economically. Every housewife who cooks with gas pays a higher monthly bill because in the Texas Panhandle one billion cubic feet of natural gas are blown into the air every day.

The consumer in the next generation may have even stronger ground for complaint. In the recent congressional investigation, expert testimony indicated that the known oil reserves of the United States would not last more than fifteen years if the 1933 rate of withdrawal were continued. During 1933 and the first seven months of 1934 our oil production was about two and a half times the rate of new discoveries, even though higher prices accelerated discoveries. With production in the first year of the petroleum code greater than in the previous twelve months we have been using up our oil reserves three times as rapidly as the rest of the world.

The hot oil producer believes in rugged individualism. With his own or his friends' money he has bought oil rights, drilled a well or a group of wells, and struck oil. He wants to sell all the oil he can produce and is willing to take any price offered. If he is willing to sell his crude oil at a low figure why shouldn't he? It's his oil, isn't it?

Yet some people have other ideas. The big producers tell him it is better to sell 100 barrels a day at one dollar a barrel than 1,000 barrels at ten cents. Then college professors in Washington tell him some of the oil must be saved for the next generation. Such ideas have resulted in state laws and a petroleum code which seek to crimp his output.

Rather than reduce his flow to the quota allotted him, the operator finds means to evade the regulations. Maybe he pretends to drill three or four other wells beside one good one, supplying the dummies by pipes from the original well and thus multiplying his production allowance. Maybe he taps his underground pipes or reservoirs, loading trucks by moonlight or piping oil to one of the many moonshine refineries which have sprung up in the last few years. Maybe he takes out \$8,000 worth of oil in a single day and makes it all right with the state by paying a \$1,000 fine, retaining the oil. Or possibly he hopes that his private "rangers," well-equipped with both guns and cash, will find some way of dealing with state agents.

Some of the mushroom refineries are scarcely more than dummies. They receive hot oil from scores of hidden pipelines and ship it out by the trainload labeled as refined products. Much of this illegal oil is sold to big companies who would not take chances by producing it themselves.

While the lush East Texas field leads in the production of bootleg oil, the Texas Panhandle has an equally black record in its squandering of natural gas. Legalized by the Texas stripping law, or sour gas law, which became effective in the spring of 1933, gasoline stripping plants in the Panhandle have been shooting into the air enough gas to exceed the total domestic consumption of natural gas in the entire United States.

Of more than two billion cubic feet produced daily in this largest of all gas fields less than one-fourth is piped off to be used for light and fuel. Another quarter is burned in the production of carbon black which is used in the manufacture of paints, inks, dyes, and rubber goods. The waste in this process is suggested by the fact that 1,000 cubic feet of gas produces only about one and one-third pounds of carbon black, the latter having a market value of three cents a pound.

The big waste comes, however, from the practice of stripping gasoline from the natural gas and allowing the remainder to escape into the air. In this process less than three per cent of the gas is salvaged. More than 97 per cent is allowed to escape. At the present rate the great Panhandle reservoir, which might have lasted for more than a generation, will be exhausted in a few years.

Gas squandered in the Panhandle in a single day would supply the needs of Chicago for an entire year. Stated differently, the daily waste of natural gas in this single field would cook a good dinner for every family in America with enough left to heat 80,000 homes for an entire winter month. When an effort is made, natural gas can be conserved. In California, for instance, gas wastage was reduced from 44.5 per cent in 1929 to 4.5 per cent in 1933.

II

From the day when Noah filled the crevices of the Ark with pitch to that of a century ago when medicine peddlers sold "Seneca oil" as a sovereign panacea, there was no petroleum problem. It was not long, however, until the use of oils for light and lubrication began to expand; and the success of the Drake well in Pennsylvania in 1859 led quickly to the overpro-

duction which has beset the industry ever since. The advent of the gasoline buggy greatly accelerated the consumption of oil products, but the supply continued to exceed the market demand and thus depress prices.

The situation became infinitely more difficult when, in October, 1930, a hopeful shoestringer named Columbus Marion Joiner discovered in East Texas the world's greatest oil reservoir. Defying the predictions of high-priced geologists, his wildcat well turned out to be a gusher. The industry at once made a mad scramble to drill in adjoining areas and, by the middle of 1931, the field had 957 producing wells instead of one; early in 1935, the number was 15,271. Joiner's luck brought quick riches to himself and many others but to the industry as a whole the new field brought disaster and chaos. In the summer of 1931, with the price of crude oil down to ten and even five cents a barrel in East Texas, drastic action became unavoidable.

Many attempts to grapple with the problem of overproduction had been made already. Even back in the seventies producers had banded together to restrict production in the interest of higher prices and masked men had ridden at night to destroy the derricks of those who defied the agreement. Under the leadership of John D. Rockefeller the refiners also joined hands to curb the output of oil products. Then, as later, however, attempts at voluntary regimentation were brought to naught by the activities of stubborn individualists.

Action by state legislatures had been but little more effective. Oil and gas conservation laws were passed by eighteen states; in some instances these statutes served as brakes on production, but excessive output and profligate waste were still the rule. Then came proration, a method which had been utilized by volun-

tary action in the Seminole field in Oklahoma as early as 1928. Under proration each producer is allowed to sell only a fixed per cent of his potential output.

In order to carry out an interstate proration plan drawn up by representatives of the principal oil states, the legislatures took action in 1931 to restrict the output of the wells. At first, however, these laws had an opposite effect, since no adequate enforcement agencies had been set up. Producers rushed to get as much oil out of the ground as possible before proration could be enforced. There was also a frantic stampede to drill new wells and thus evade the intent of proration. In East Texas new wells were being opened at the rate of 500 a month. In one instance three wells were crowded upon half an acre. Then, in the late summer of 1931, the governors declared martial law in the Oklahoma and East Texas fields and sent National Guardsmen to shut down the wells.

This strong-arm action cooled off the oil men temporarily; but when the troops were removed a few months later a system of oil racketeering set in, especially in East Texas. Many of the smaller operators who had invested all their money in oil rights and had bought drilling equipment on credit were determined to sell every possible drop. By devious means they slipped their oil out to moonshine refineries, evading the state tax and selling the crude at forty to fifty per cent of the market price.

The defiant producers threatened state inspectors with shotguns, laid secret pipe lines, and found many ingenious means of escaping what they considered the injustice of proration. One established on the top of a derrick a lookout who shut off the illegal flow whenever he saw investigators approaching; another built a concrete blockhouse over the controls of his well; a third laid a by-pass pipeline with the

controlling valve behind the bathtub in his home.

For the next two years, however, the industry remained in the doldrums. Most of the lawful producers continued to shed oleaginous tears and to claim they were operating at a loss. Some of the independents still talked about a tariff embargo on imports but oil imports already had dwindled to so low a figure that such a measure would have had little effect. An increasing number of oil men were resigned to federal control as the only way out.

In the National Recovery Act, Congress delegated to the President power to prohibit transportation in interstate and foreign commerce of oil produced in violation of state proration laws. In addition, the petroleum code signed in August, 1933, sought to establish self-government in the industry, with authority over production, refining, and marketing lodged in a committee representing the industry and in an administrator to be appointed by the President.

These measures, together with the increased demand for oil products, brought a quick rise in prices. After three lean years, nearly all producers came out of the red in the final quarter of 1933. In 1934 this price recovery showed visible results in profits, November oil dividends totaling \$68,219,223 as compared with \$46,031,266 for the same month in 1933. In many respects 1934 was the best year the industry had had since 1921.

III

The average price of ninety-five cents a barrel for crude oil proved too great a temptation for many producers, however. Resuming their old practices these chisellers secretly flouted their quotas to take as

much advantage as possible of the high prices. In the fall of 1934, in the East Texas field alone, the production of hot oil was estimated at 55,000 barrels a day by the Railroad Commission of Texas, an elective body in charge of enforcement of state oil and gas laws. Federal officials estimated the illegal flow at 90,000 barrels a day while private estimates ranged from 87,000 to 150,000 barrels. The throwing of this excess oil on the market resulted in sporadic price wars and threatened to wreck the whole structure of production control.

Along with the violation of production quotas there has also been widespread evasion of the labor provisions of the petroleum code. Labor spokesmen declare that workers are worse off under the code than they were before its adoption. Figures gathered by the Planning and Co-ordination Committee show that, for the industry as a whole, weekly wages were lower in May, 1934, than in the same month of 1933. Labor leaders alleged that employers were resorting to the stretch-out system—laying off part of their workers and forcing one man to do the work of two. From one district it was reported that men working twelve to fourteen hours a day were required to fill out blanks stating that they worked only six hours a day. In December, 1934, one large refining company was indicted by a federal grand jury on seventy-two counts charging violation of the code's labor provisions.

With so many of the oil men thumbing their noses at this experiment in industrial self-government, leaders interested in stabilization and conservation concluded that the only hope lay in control by the federal government. To this end the Disney Bill was introduced in the House of Representatives in the spring of 1934 and the similar Thomas Bill in the Senate. The

Disney measure would have given the Secretary of the Interior power to fix quotas for each state, to prevent shipment of hot oil in interstate commerce, and, if necessary, to determine the amount of oil an individual pool or well might produce.

This bill had the strong approval of President Roosevelt and Mr. Ickes and of some of the oil men. It was unanimously opposed, however, by the Texas delegation in Congress, many of whose constituents own oil and gas royalties and not a few of whom are profiting from bootleg oil. The result was that the bill never came to a vote, the only action being the authorization by the House of an investigation of the industry.

This investigation was made by the Cole Committee, a special subcommittee of the House Committee on Interstate and Foreign Commerce. As was expected most of those who testified at the hearings were opposed to federal control. In the minority, however, was Frank Phillips, president of the Phillips Petroleum Company. Criticizing the Disney Bill only because it did not go far enough, Phillips came out strongly for federal control as the only means of saving the industry from chaos. In part, he said:

After sitting in with leaders of the oil industry for more than ten years considering the ills and abuses of the industry, I am fully convinced that we are wholly incompetent to solve our own problems by voluntary agreements or under existing agencies. Price cutting, chiseling, and unfair trade practices are more prevalent today than at any time during my career of thirty years in this business. Agreements mean nothing. Some of those who are most active in promoting agreements are violators.

We are now in the midst of a price war. I know of large companies who are now supplying recently made contracts and because of low prices are not only giving away their gasoline but are sending their

checks to make up deficits. Our company is just as crooked as any of them, and I said to my board the other day that we cannot look our grandchildren in the face and be honest about it and continue the way we are doing now.

It is time we should have real conservation, not only to preserve the billions of dollars invested in the oil industry and the jobs of hundreds of thousands of employees but for national protection as well.

Despite the testimony heard on the rapid depletion of oil and gas resources, the innocuous report of the Cole Committee contained little more than a blessing for the idea of interstate compacts and a recommendation for a new federal setup which would eliminate Ickes from oil control. The removal of Ickes already had been sought by the chairman of the National Petroleum Council and by a mass meeting of independent oil men in Kilgore, Texas, a hot oil center.

Production control by interstate compact is favored by the directors of the American Petroleum Institute, despite the failure of the interstate agreement of several years ago. This plan, however, would require congressional action which the oil men have been unable to obtain and it seems doomed for the present by the refusal of the governor of Texas to allow any other state an effective voice in fixing oil production figures for Texas fields. The possibility of control through an interstate compact is so remote that conservationists in general agree with Ickes who called the proposed compact "a red herring dragged across the picture" by those who "are trying to get away from any control at all."

Since the Cole Committee made its report, the Supreme Court of the United States has declared unconstitutional a provision of the Recovery Act by which Congress delegated to the President authority to prohibit transportation of hot oil in interstate and foreign commerce. This deci-

sion merely invalidated the action of Congress in delegating its power, however, and did not deny Congress the right to exercise this power directly. A measure for re-establishing this ban on hot oil by direct action of Congress has been enacted.

The need remains, however, for such further and more permanent action as is contemplated in the Disney bill. We can, at great expense of money and time, renew our ruined forests; but our oil resources, as even the Cole Committee admitted, are irreplaceable. There was considerable logic in the statement made several years ago by President Hoover's Secretary of the Interior, Dr. Ray Lyman Wilbur:

In the future the country with the oil will dominate civilization. In it will be centered the wealth. America must conserve her sup-

ply. If we waste our oil reserves now, we will pay foreign countries through the nose for every barrel we import later. If I were landlord of this country, I would see that we used as much imported oil as possible, and let the other fellow waste his reserves.

Thus the basic question is whether the nation's oil resources belong to the speculator who has made a lucky buy or to the people of the United States whose children may want to drive automobiles in 1970. To expect the hot oil runner to take a patriotic view or to think of the next generation would be like asking a jackal to sing an aria. The effective conservation of the nation's remaining oil and gas resources will require the use of a big stick, one which only the federal government can wield.

THE INSURGENT LINE-UP FOR 1936

BY SELDEN RODMAN

THE Third Party—that target for scoffers, that dark horse of the political prophets—straddles the horizon once again. The brothers La Follette, with their new Progressive Party, are firmly entrenched in Wisconsin; Olson and his Farmer-Laborites retain their four-year hold in Minnesota; hundreds of thousands of Californians—Sinclairites, Utopians and Socialists—are demanding “Production for Use”; two hundred thousand technocrats are on the prowl in the state of Washington; once more farmers of the Middle West are burning the Hon. Sec. Henry Agard Wallace in effigy; and labor everywhere is challenging the administration of its affairs at the Capital. Last but not least, the demagogues are on the loose: Coughlin, the static-proof Radio Priest, rehashes his Sermon on the Mountbanks; and Huey Long, Public Demagogue No. 1, is cavorting about the arena like a Mahdi with two jugs of white mule aboard. Third party action is possible if not implicit in every one of these local whirlpools.

With coalition of all these forces unthinkable, two formidable alternatives present themselves. One, the rapid growth of an American fascist party, paralleling in every essential respect the economic and even physical aspects of European fascism—if the Kingfish tries to capture the Presidency in 1936. And, two, a radical third party based on the farmer-labor movement of the Middle West—if its leaders can unify their strength. This second alterna-

tive is based on a sentiment, slow moving but indigenous, partly articulate and partly latent, politically harnessed in some states and unorganized in others, but universally of far greater significance than is generally admitted.

If certain publicists and political wiseacres would for a moment take stock of the third-party trend that is developing under their very noses, they might not be so baffled and appalled by the intransigence of the 74th Congress. When Representatives Kvale (F.-L., Minn.) and Amlie (Prog., Wisc.) openly organized a group of thirty left-wing congressmen behind a common program on March 9th, most papers saw only a minor rebellion against the Democratic leadership. Were it quite unknown that a goodly number in both the House and the Senate favor the formation of a third party, the very fact that 40% of the Republicans in the Senate voted the New Deal in, and that some of its bitterest critics are Democrats, would point to a new alignment. Roosevelt's first two defeats this year—on the World Court and on the first test of the prevailing wage amendment to the Works Bill—point to a rising though pacifistic nationalism and a pro-labor sentiment that in themselves are portents of a new party.

Now when it is said that certain congressmen favor a third party, it must be borne in mind that few do so openly. Unless they happen to be members of the Farmer-Labor Party of Minnesota or the

Progressive Party of Wisconsin, such an affirmation by itself would be political suicide. Of course a few, like Senator Nye, are in a position to espouse such a movement, and do. Others express their sentiments privately. But on the whole the new alignment is to be found in the trend of New Deal politics itself.

It is said that Dr. Roosevelt himself at one time considered the formation of a progressive third party. However that may be, his position today as nominal leader of all the Democrats is utterly unreal. What is one to think of the stability of a party leadership that must straddle such a triangle of irreconcilables as, for example, Senators Bilbo, Wagner and Glass? Could anything be less consistent than the President's Green Bay Speech in which he supported both the reactionary Governor Schmedeman and the progressive Senator La Follette? On the one hand are the conservative critics of his policy within the party such as Senators Byrd and Glass. In the center are the dwindling few who still see eye to eye with him. And in the third camp are those who, while they may still occasionally support Roosevelt, are to the left of the New Deal and sharply critical of it. In this camp, obviously, will be found the best nucleus for the third-party movement.

Aligned here—and now including the Republicans—are Senators Wheeler, Cossigan, Bone, Holt, Schwellenbach, Frazier, Nye, Cutting, La Follette and Shipstead. Here are such Congressmen as Amlie, Schneider, Kvale, Lundeen, Lemke, McGroarty, Zioncheck, Maverick and Marcantonio. Most of these men are still on reasonably friendly terms with the President, but all are critical of the monopolistic trend of NRA, of the acreage reduction program; all favor, to a greater or less degree, intensified government control over

industry and the nationalization of banking. Aligned here also, but less positively, are such left-wing New Dealers as Senators Norris, Wagner and Black. As far as the Democratic party is concerned, these men (politically speaking) have no place to go.

The time in which the genial Roosevelt II can straddle these political fences is passing. The fences are getting farther and farther apart. Pretty soon he may have to jump. And there is only one place he can jump. He must move far enough to the right to unite the right wing and the middle. Such a move would mean the almost total extinction of the Republican party. But it would leave a free and united left.

If this strictly political break-up constituted the whole picture, Roosevelt might still be safe for a long time and a third party wouldn't get to first base. But this isn't half of the picture. We have still to account for the dilemma of organized labor, the growing revolt of the organized farmers and the bankruptcy of the existing radical parties.

If the American Federation of Labor takes a political stand at its next convention, it will be for the first time in its history. Hitherto organized labor has been content to vote now Republican, now Democratic, according to the specific promises of its local sponsors. But today, with its efforts officially recognized by the federal government, it has passed out of that lazy man's Utopia. It must vote to extend its organizational gains—or lose them. Furthermore it becomes increasingly clear that the time is not far off when either labor must vote into office a frankly partisan regime, or become a powerless adjunct of the state machine as it is in Germany or Italy. This prospect for labor, under a set-up where industrial codes are written

entirely by industrialists, is not a pleasant one.

The trend is already evident. Such bodies as the State Federations of Labor in Wisconsin and Minnesota, the Amalgamated Association of Iron, Steel and Tin Workers, the powerful United Textile Workers and Amalgamated Clothing Workers of America, are now all on record for the formation of a third party.

What of the organized farmers? Both the great farmers' organizations of the West, the Farmers' Union and the National Farmers' Holiday Association are known to favor the formation of a farmer-labor party. Violently opposed to the policies of the AAA, which they think favor only the rich farmer, half their members are still for F.D.R. personally, but they want several particular things and they want them quickly: a refinancing of mortgages; either a moratorium on debts or cheap money; cooperative marketing agreements as provided for in the Frazier-Sinclair Bill introduced in the last Congress; and, more than anything else, cost of production. If Roosevelt will not deliver — which he shows no signs of doing — the farmers will vote for any third party candidate who will.

The last factor — and by no means the least — is the bankruptcy of our existing radical parties. Whether rightly or wrongly, organized labor on the West coast believes that its general strike last summer was side-tracked by Communists who loudly claimed leadership and in so doing provided an easy scapegoat for the employers. In Minneapolis, organized labor points to the strategy of the Communists in the famous truck-drivers' strike: Olson, whose martial law finally forced collective bargaining and union recognition, was repeatedly denounced by them as a labor traitor and a strike-breaker. Four

months ago Earl Browder, General Secretary of the Communist Party, suddenly announced to an astonished rank and file that the Comrades were now to support that oft-denounced bogey, a labor party. But even if the party membership can stomach this about-face, it will not impress organized labor. "Boring from within" is an old gag. The Communists are still bad enough psychologists and tacticians to denounce openly the leadership of labor. No labor party would take them in. And thousands who have been attracted by the Communist program in the past will be found in the third party ranks.

As for the Socialist Party, it is torn asunder with factional disputes as never since the Communists split off in 1919. As a party it has failed to show any ability to grow or to become an effective factor in the American scene. Yet it is certain that large sections of the Socialist Party would throw themselves into a third party and be effective there. All factions favor such a move now. And Norman Thomas himself has repeatedly said that he would support a third party, if and when it appeared on the scene.

II

It is required of a leader that he at least keep one step ahead of his people, that he *lead*. But when the people step out ahead of Roosevelt, will Huey Long be the only one in a position to capitalize on the new demands? Not if Olson, the La Follettes, and the lesser known members of the agrarian-labor movement are on their toes. Let us look at their records now.

Floyd B. Olson, at present in his third term as Farmer-Labor Governor of Minnesota, is regarded as the strongest potential leader in the radical movement today. This towering ex-stevedore and ex-wobbly is an

able politician. His followers believe that if he stopped bucking a hostile legislature at home and stumped the other forty-seven states for six months, he could have the nation behind him for almost anything he wanted. "I am not a liberal; I am a radical," Olson says. And those who remember his threat to take over the factories if relief was not forthcoming under Hoover agree. The platform of the Farmer-Labor Association of Minnesota demands public ownership of monopolistic industries and factories, of banking and credit. Old-line Farmer-Laborites do not like it. Olson does.

But will Olson lack the vision to look beyond his own state and his own ephemeral office? He is ambitious, yet apparently unwilling to conquer new territory. While he realizes the importance of patronage, the power-tactics demanded by the politics of the future seem always just outside his grasp. He has not cleaned out the conservatives at the top of his own National Guard. Lukewarm independents, all-party candidates, even Republicans and Democrats, clutter up his state machine. Both groups are ready to knife him in a crisis. Lacking nothing in courage, Olson flatly states: "A third party must arise and preach the gospel of government and collective ownership of the means of production and distribution." No American Governor has ever gone so far, nor has a major strike ever been handled in the way Olson handled last summer's near civil war. And yet—can Olson cast caution to the winds and compete with the demagogues in their own territory?

Philip F. La Follette, Governor of Wisconsin, is one of the cleverest practical politicians in the country—too practical, perhaps. Ambitious, a first-rate public speaker with a winning personality, heir to a still-potent tradition, he too may be left

in Wisconsin when the cauldron boils outside. "The road to revolution," he says, "is paved with good intentions." He has a really sound understanding of economics, but his party is far more loosely organized than Olson's and he is already so dependent upon Roosevelt for relief money that he dares not risk an open break. The sentiment for Huey Long is already growing in Wisconsin, and ominously: I heard from the secretary of one of the Progressive congressmen (this congressman himself, incidentally, is for Long!) that hundreds of letters come to Washington every month from Wisconsin farmers, attesting this sentiment. If La Follette moves in time to capture this tide, it will only be because, unlike his senatorial brother who believes that the present economic order has a long life ahead of it, the Governor of Wisconsin does not.

Mayor La Guardia's position in regard to the third-party movement has shifted so many times during the last two years, that it is both difficult to classify him and impossible to leave him out. He cannot afford to antagonize directly either the New York republicans or the New York Democrats who supported him, and still may, for the sake of political expediency. While the Chairman of his City Fusion Party and its Representative in Congress both favor the third-party movement, the party itself is neither sufficiently strong nor clear in program to take leadership in the movement. Some say that the Mayor is an opportunist, pure and simple; others point to his Labor Day speech in Chicago, his willingness to campaign for Bob La Follette, and aver that he may even be Olson's running mate in the campaign of 1936.

In the Far West Upton Sinclair, though defeated, claims he has created the nucleus for a third party in that section. The formation of the national third party would

probably gain more support from California than from any other state in the Union.

The intellectual leader of the movement is Thomas R. Amlie, Progressive Congressman from Wisconsin and Chairman of the national Farmer-Labor Political Federation. Amlie, like Olson and Nye and so many other Middle Western radical politicians, came into politics via the Non-Partisan League of North Dakota shortly after the War. He is tall, humorous, slow-speaking, but without the ability to sway masses, characteristic of Phil La Follette or Olson. It was Amlie who, while the La Follettes were still debating the expediency of Republicanism, through speeches, articles and his personal influence, fanned the third party sentiment into flame. It was Amlie who, when the Progressive party was finally formed, created the Farmer-Labor and Progressive League as a membership organization among its rank and file, and wrote a platform for it almost identical with Olson's in Minnesota. "Political suicide!" said Progressive graybeards, shaking their heads, when Amlie told the people of Wisconsin time after time that "Capitalism is doomed; capitalism cannot be saved; and capitalism is not worth saving." Yet Amlie was elected to Congress on a third-party ticket from the notoriously conservative first district. Finally, it was Amlie who delivered the keynote address at the Chicago Conference for Progressive Political Action in September, 1933, and became the first Chairman of the national Farmer-Labor Political Federation that was formed there. This organization, extremely loose in structure, has become the focal point for national third party action.

The philosophy of the movement today, in so far as it can be said to have a philosophy, comes from three sources: First, from the elder La Follette who ran for the

Presidency in 1924 on a platform demanding public ownership of utilities and railroads; second, from John Dewey's League for Independent Political Action which called the conference of September, 1933; and third, from Amlie's theory of economic abundance—"only through the abolition of absentee ownership and the price-profit system can the nation's enormous productive capacity be released and adequately distributed." Because of the first two sources, it may be hazarded that the third-party movement will never develop the kind of simple cast-iron system so dear to the reflective European soul and to all orthodox Marxists. Nor, because of the third, will it be likely to drift aimlessly on the waters of reform so natural in a pioneer country, so dangerous to a highly organized technical mechanism. Amlie has given its position in *Dialectics Adrift*, his most important statement of social philosophy:

With the Marxian analysis of economics I have no quarrel . . . but when we come to the question of social procedure, we are immediately faced with the fact that that which is possible must largely determine the question of what is desirable. . . . According to the Marxian strategists, the weighing of that which is desirable against that which is possible is a prerogative that must die with Lenin or at least be confined to Russia. . . . A communist revolution might be conceivably possible in the United States, but only after a long period of fascist oppression and failure, resulting in the destruction of most of those characteristics which we commonly associate with Mr. Average American Citizen.

III

In 1920, Parley P. Christenson polled 265,441 votes on a somewhat eccentric national Farmer-Labor ticket. There seemed to be finality in this bad beginning, for since then, to quote George Soule: "The

coming of a third party has been like seven virgins trying to give birth to a child." There are reasons for this. After the remarkable showing of nearly five million votes which La Follette, *père*, rolled up in 1924, five years of comparative prosperity cut heavily into the sentiment for a new alignment. With the depression, some of this sentiment returned, but Fighting Bob had died and the old populist-progressive philosophy was in process of being discarded in favor of one which would more nearly fit the facts of the Power Age.

Today, followers of the new movement aver that such a philosophy has been found. Throughout the Middle West and West and parts of the South and East, popular sentiment for a third party dwarfs the high tide of 1924 into insignificance. Third parties are established in Iowa, Michigan, Montana, South Dakota, Idaho, Kansas and Oregon. Third parties control the states of Wisconsin and Minnesota. New Mexico and North Dakota, nominally Republican, Colorado and Washington, nominally Democratic, might swing behind a third party as early as 1936. Upton Sinclair's Epic Democrats in California (and it must not be forgotten that they polled over eight hundred thousand votes last year without national backing and in the face of the most merciless Red-baiting opposition in our history) would follow suit. West Virginia, Pennsylvania, perhaps even Ohio and New York, might be third-party states by the election of 1940. Five great trade unions and several state labor federations are, as we have seen, behind the third party idea; the two largest progressive farm organizations are behind it; the giant railroad brotherhoods, so large a factor in La Follette's campaign of 1924, may assist at its creation; the bulk of the Socialist Party will do the same. Preceding the House left-wing coalition of March 9th, in-

formal conclaves of the left in both the Senate and the House were held almost every week. A convention of two hundred picked representatives of all these groups is scheduled to meet in Chicago this month.

But here the reader may interject: there is still no third party. He is right. There is no third party—and there may never be a *radical* third party unless Governors Olson and La Follette co-operate in its formation soon. As early as the end of March, the consequences of this inertia were becoming apparent. Newton Jenkins, a full-fledged fascist whose program demands "intense nationalism," "a stern program of physical education" for its party patrols, and "a court to try traitors," was running for the office of mayor in Chicago. He not only had the support of a part of the organized labor movement, but he had tried to force the La Follettes to take a stand on his program. And in North Dakota Bill Langer, the ex-Governor who was convicted of having assessed Federal employees for contributions to build up his private political machine, has effected a definite tie-up with Kingfish Long. To the tune of the slogan "Live with Long and Langer!" a meeting of the Langer forces was held recently over the border at Ortonville, Minnesota. The meeting was addressed by a Long lieutenant who referred to the fact that Huey had championed Langer in the Senate; an alignment with Father Coughlin was approved; and the chief attack centered on the Roosevelt Administration, the two radical North Dakota Senators, Nye and Frazier, and the radical program of the Farmer-Labor party of Minnesota.

Accordingly, as I suggested in the beginning, two political alternatives loom large. If Messrs. Olson and La Follette step out of their provinces into the national limelight, the third party will be a *radical*

third party. If, on the other hand, Huey Long, with the support of Jenkins, Langer, Coughlin and other rabble-rousers, takes the initiative, the election of 1936 or 1940 will see a party *fascist* in everything but name opposing the conservative Democrats and Republicans. And the latter alternative can only have the direct effect of driving what radicals remain into an extreme class party with the middle classes quite outside their pale of influence.

The result of such a conflict, in the opinion of this writer, would be a comic reenactment of the tragic drama of modern Germany. The extreme left would be swiftly suppressed. Civil liberties, trade unionism, democracy would be cast overboard. Sectionalism, chaos and a bare sub-

sistence economy would soon follow.

Yet such a conflict, as I have tried to show, is not inevitable. If the leaders of the farmer-labor and progressive movements in conjunction with the leaders of labor and the leaders of the Utopian and technocratic movements on the Pacific Coast take the initiative, it will be a different story. Then, and only then, will labor and the middle classes be kept from a fatal antagonism. Then, and only then, will there be a clear-cut test of strength, without unnecessarily complicating factors, between those who believe that an economy of abundance demands collectivism and those who still have faith in the old order. That, rather than Democracy vs. Dictatorship, is the real issue.

LYNCH HIM!

A Story

BY LEN ZINBERG

THEY can't do nothing to me, I'm covered. I was smacked on the head and I've got two cuts there to prove it. Of course it's an awful big case and I see where they have my picture in all the papers and Charley's and the twenty dead people. In all the papers all over the country; it's a big case. But I was hit on the head and I can show you where. Right on the head with the butt of a tommy gun.

I was at the jail when they brought Charley in. You see I had been made a deputy about three months ago. My old man was on pretty good terms with the sheriff, and me and the sheriff, Old Tom, was in charge of the jail and law and order in the town. I hear a lot of noise and shouting and then a crowd comes up to the jail and Old Tom has got out his gun and is pointing it at Charley's back. Then he takes Charley in and tells me to lock him up. Well, while I'm locking Charley up, I hear Old Tom telling the crowd, I guess there was about sixty or seventy there, that he won't stand for any necktie party because they mustn't forget that Charley is a white man.

Several people in the crowd yell: "He's a nigger lover." But Old Tom just shakes his head and shuts the door.

The mob goes away soon and I ask Charley what's the matter. You see we had grown up together and were sort of pals. Charley says that Big Ed Bach had

stopped him in the street and said: "Listen here, no white man in this town can go around with any damn nigger girl, see?" And then he spit in Charley's face. Now Charley is a hell of a big guy himself and he almost killed Big Ed before they were finally separated. Some of the other boys were standing around and they began to make some cracks and it looked like Charley was going to have to take them all on when Old Tom came along. Then John Barrett, the barber, who is a pretty smart guy, says that Charley robbed him of five bucks and that he will swear out a warrant for Charley's arrest. So Old Tom had to pinch him. I was a little scared because when they arrest a black man like that it means a lynching sure and maybe they might try to string Charley up.

It was a funny thing about Charley—he was so serious all the time and always worrying about the niggers, I mean Negroes. Charley always called them Negroes and wanted me to call them the same. I remember when we was about fourteen they lynched Joey who used to play ball on our team. They said he had raped Old Man Ray's daughter. Almost every white man in town had been with Old Man Ray's girl but now that she was going to have a kid in a few months she had to blame somebody for bumping her, so she said that Joey had attacked her. The bar-

ber John and a couple of other boys said that it was about time they had a good necktie party anyway and they got ahold of Joey and beat hell out of him and then they strung him up and lit a fire under him. When me and Charley and some of the boys went out there the next day you couldn't tell it was Joey. His legs were black bone and bent up almost double under him. We didn't stay there long, but Charley kept on staring at Joey's bent up legs and wouldn't go home with us. His old lady said he was out all that night and the next day John Barrett had a big lump on the back of his head and he said that some kid had clipped him with a stone as he was going home.

From then on Charley got very serious and would stand on the corner arguing with us about Negroes being the same as us and how we should all be friends. Some of the fellows got a little sore but they didn't start anything because Charley was too big. People in town began to talk and once a man passing by heard Charley arguing with us and he went up and slapped Charley in the face hard. Charley was smaller than the man but he tore right into him and the man knocked him down. Charley got up and the man knocked him down again. The guy knocked Charley down about ten times and each time Charley would stagger to his feet and go after the guy. His eyes were so hard and bright that they looked as if they would pop from his head. Even when the man hit him in the eye and some blood came out, you could still see how bright the eye was. Finally the man shook his head and walked away and we had to hold Charley from going after him.

It got so that hardly anybody in town would talk to Charley and he used to stay by himself a lot. He would go out

and talk to some of the Negro farmers and hang out with them. For some reason he would not get a haircut in John Barrett's place and he used to go to the Negro barber. Of course I still spoke to him but he was always telling me a lot of stuff about equal rights and the brotherhood of man and stuff that I didn't care about. He was a good friend though, once he lent me twenty bucks when I thought I had got a girl in trouble. I think I only gave him back sixteen-fifty.

Charley went to the university up state and got thrown out for something he wrote in a paper and came back to work in his father's clothing store. Charley didn't talk so much and people said that his old man had worked hard to send him to college and that he had thrown down the chance and that he was no good.

Then one day about two months ago Mrs. Walt's granddaughter from up north came down to see her. She was a nice looking dark skinned girl and some dresser. She certainly had some fine clothes and it looked funny to see her sitting in front of Mrs. Walt's old shack all dressed up in a fine dress or a pretty gray suit. Nothing loud, but just like you see on the magazine covers. Everybody in town was saying how she was dressed better than any white girl in town.

One day me and Charley and some other men were sitting in front of the drugstore and we see her coming down the street. So some guy from the country says he thinks he'll teach this northern nigger girl a lesson and when she passes us he reaches out and slaps her across the behind and says: "How about to-night, baby?" Then he grins and then Charley hits him on the jaw and knocks him cold and says to the girl very politely: "May I walk you home?"

She looks at him for a moment and says: "Certainly, if you want to." And they walk away and we watch them and then the farmer comes to and we have to tell him all about Charley.

Every day after that Charley was hanging around this girl. Her name was Muriel. She gave Charley a lot of little books to read and he was all excited about communism and Russia and how black and white workers must unite and talked my ear off every time he met me. It was plain to see that he was sure stuck on her and people began to talk about him again. Only this time they were real sore because he didn't pay much attention to the white girls in town and fell for a northern black girl. Finally John Barrett, Big Ed Bach, Old Tom and some others went out to Mrs. Walt's one night and told her to send her granddaughter home before there was trouble. Mrs. Walt was very old and white-haired and she was scared and said she would and sure enough the next day Muriel left.

That day Charley tried to get his old man to give him enough money to go up north and his old man refused and I guess Charley was going around town trying to raise the dough when he bumped into Big Ed and landed in jail.

II

All afternoon me and Charley talked, with him behind the bars of course, and he says he's going up north and marry her if it is the last thing he does. About five o'clock old Tom comes in and gives me my supper and he says that a lot of the men are drunk and raising the devil and talking of lynching. He takes out a tommy gun and gives it to me and says that no white man will be lynched while he's sheriff.

After Tom had gone Charley looks at me and he says: "Listen George, I want you to give me that machine gun. I'm going to let those bastards have it once and for all. I've been saving up for something like this. You got to let me have that tommy gun, George."

I says: "Say, what's the matter with you—are you nuts? I can't give you this gun, I'm the deputy sheriff."

"I'm not going to let those guys lynch me. Don't you see, George, I got to fight them. I can't let them take me without a fight. Look, George, you're my pal and you wouldn't let anybody kill me, would you? Well now, even if you are deputy sheriff you can't shoot into that mob. You know what would happen if you did. But they're coming after me and I got a right to defend myself and if you let me have that gun for a minute I'll fix them. Every damn one of them."

I see that his eyes is like they were when that man knocked him down and I get frightened as hell. "But if I give you the gun I'll get sent up and lose my job," I tell him.

"I'll hit you on the head," says Charley. "Then you can say that I escaped and knocked you cold and it wasn't your fault, see? I'll hit you easy, George. You got to do it. It's just . . . look, I'm going to get killed, you're only getting hit on the head. Come on, George, do it for a pal."

His eyes are as bright as a cat's and I don't know what to do. Finally I says: "Nobody is going to string up a white man, I mean you, while I'm in charge. Of course I guess I couldn't very well shoot them down. I'll give you the gun if they come after you. But only if they come after you."

He grabs my hand and shakes it hard and I see he's almost crying. I knew that

would shut him up and anyway I really didn't think there was any chance of them coming after him. I had seen too many of those lynch scares and Charley being a white man and all that.

But about seven o'clock Old Tom comes rushing in and says that there is about a hundred men headed this way and that they are after Charley. While Old Tom is phoning for the troops I can hear them shouting and soon they're outside the little jail and throwing stones at the windows. I look out and I see that they're drunk and in a bad mood.

Charley is walking up and down in his cell. Looking at my gun once he says fierce-like: "You promised."

I hear Old Tom talking to them and I can hear John Barrett say: "We're going to string up that son of a bitch if we have to tear down the jail!" and all the rest of them shout and curse Charley. Old Tom comes in and he has a tommy gun in his hand too and he tells me to bring Charley into the office and that we may have trouble before the troops can get here. So I go in and unlock the cell door. Charley comes out and before I can stop him he grabs the gun from my hands and says "Thanks" and then he smacks me over the head.

III

I don't know what happened after that as I was out cold, but from what I've heard he walked into the office and surprised Old Tom. Then he took Old Tom's tommy gun away from him and opened the door and pushed Old Tom out with the rest of them. Of course the men were surprised to see Old Tom and they stopped yelling for a minute. Then the

door suddenly opens and Charley stands there smiling and with the tommy gun in his hands.

For a second they all stare at him and then Old Tom whips out his pistol and fires. He hit Charley in the stomach and Charley sinks down on the top step.

They all start yelling again and make for Charley who is sitting there like he was dead with the gun in his lap. When they get to the bottom step Charley suddenly straightens his head and squeezes the trigger. There is that nervous ta-tat-tat and about five men go down including Old Tom.

Then they are silent again and Charley pulls the trigger again and some more go down. Then they all start running like hell.

There is a little square in front of the jail and they had to run across that and they say that Charley just sat there and took careful aim and sprayed the square with lead. The papers say that Charley was laughing but I don't believe it.

Men was falling like they do in war pictures and they counted twenty dead when it was all over and Charley had dropped the gun and had fallen over and down the steps.

It's in all the papers all over the country and so is my picture. They say that there will be a big investigation but they can't do nothing to me. They can't do nothing to Charley now, either. Some papers called him "poor Charley," but I don't know, I bet those last few seconds when he was popping them off like flies, was the sweetest seconds in his life. And me? I'm covered, I can show them where I was hit on the head. I ain't worrying none, I can show them where.

CONTEST-CRAZY

BY EDITH M. STERN

COMMERCIALY sponsored prize contests, in their present gargantuan form, are a logical outgrowth of the depression. John Brown, a manufacturer, finds that, despite the allurements and cajolings of his high-pressure salesmen, the tons of ink he spreads over the pages of publications, and the Happyland Boys who regale audiences during the John Brown hour on a national hook-up, the public stubbornly refuses to buy his canned milk. He appeals to the astrologers of the advertising agencies. "Higher pressure," they advise. "Stunts. Shots in the arm, Mr. Brown." So Mr. Brown sponsors a contest.

Jim Smith is unemployed. He hasn't very much to do with his time. Furthermore, he still believes that there is gold in the streets of America if you only know where to scratch for it, and that by your own efforts you can jump overnight from worrying about the fifty dollars for last month's rent to enjoying permanent economic security. Mr. Smith enters the contest.

Not that contests are new. P. T. Barnum, that Old Master of ballyhoo, when he was doing advance publicity for the Swedish Nightingale offered a two hundred dollar prize for an American song. Seven hundred and fifty poems were turned in, but what is that compared to the estimated four million entries in the recent Pepsodent Contest? Many, too, the American Legionnaires who, when they were boys, entered popularity or largest-

number-of-subscriptions contests to win a Shetland pony. But the contest on a large scale, with its technique carefully elaborated, with prizes running into thousands of dollars in cash or merchandise, with special clerical staffs to handle its mail and Ph.D.'s to act as judges, with its organization as a heavy industry and all its corollary rackets, is a triumph of contemporary civilization.

Ten years ago contests in their present form were almost unheard of: if they were held, the sponsor deemed himself an innovator and a gambler. Five years ago they began to spring up. By 1931 they were replacing offers and premiums, and during 1932 the country went contest mad. Though their numbers were slightly reduced after December of that year, there were more in 1934 than in 1933, and twice as many during January, 1935, as in the same month a year before.

Contest requirements fall into certain broad classifications. Either you make, draw, write or solve something. (Guessing the number of beans in a pot is not a contest—it is a lottery.) Procter and Gamble have sponsored contests for the best piece of soap sculpture. In a neat and mutually beneficial combination a company manufacturing films and another making toothpaste offered prizes for photographs of The Brightest Smile in America. Here the number of entrants is naturally limited since not everyone sculps or photographs. Solving puzzles or finding the number of

faces concealed in a picture involve different complications. A number of correct answers being probable, a supplementary letter to form a secondary basis for judging is required. Writing contests, consequently, predominate as the most all-around and satisfactory.

Sometimes what must be written seems unrelated to the product. The "Most Fascinating Fact" has no evident connection with Delco Appliances, while the "Best Nickname for the Baby" bears on Wheatena only indirectly. More often, however, the subject matter is directly concerned with the article advertised. Name a new product. Complete a four-line limerick which "carries the message". Answer questions, in twenty-five words or less; "Why is Barbasol America's Fastest-Selling Shaving Cream?" or "Why Is Dated Coffee Better?" Occasionally these questions are not leading, but give play to the creative imagination: "What would you say if you were a ten year old boy taking your first ride in a Plymouth?" and "What is the Chef on the Cream of Wheat Package saying?" have both come over the air. (A current contest will doubtless be restricted to the printed page: a drugstore salesman displaying a roll of toilet paper is depicted, and you are asked to tell what he is saying. The visual element might be circumvented by oral description, but on the theory that reading is done alone while listening often takes place in mixed company, the radio is very careful about certain unmentionables.)

Compose an advertising slogan. Or, write an essay. Pour out your heart. Write a true life experience, "How Bisquick Saved the Day". Describe your family's reactions when you served caramel dumpings made with Gold Medal Flour. Children's contests are beautiful in their simplicity. One consists of writing "I

Like H-O Oats", the prize going to the neatest and best-penned statement. And, finally, there are word contests, once the most popular but now, having been done to death and aroused the ire of librarians when dictionaries were monopolized, past their heyday. These require lists of words utilizing only the letters contained in the product's name or advertising slogan.

Now, what does the sponsor really expect to get out of the resultant verbiage? A brilliant name for his product? "Dreskin", prize-winner in the Campana Contest for a name for a new skin invigorator, is an indication of the calibre of these bursts of inspiration. Usable advertising slogans? Suggestions in a gasoline contest were "Peppy-fast-economical", "The Pinnacle of Potency," and "Smooth as the June night, swift as the eagle". Even prize-winning slogans are almost never used afterward. Ideas for new uses for the product, or the development of new sales angles? Occasionally the simple, sincere report of a housewife will bring out some feature overlooked by the bright boys in the promotion department, but on the whole it is unlikely that their high-priced brains will not have unearthed all valid, and some invalid, uses for the article. A mailing list? There are simpler means of building one: besides, there is no guarantee of contestants' purchasing power. Does the sponsor think that after contemplating the product a due length of time contestants, by a kind of self-hypnosis, will sell it to themselves? The chances are that the reaction, particularly among the majority who lose, will be just the opposite. The weary and befuddled aspirant for the Grand Prize may hope fervently that he never hears that particular combination of letters again! In the radio field, to get people to listen to the program? It is more likely to work the other way round since

the contest announcement is, after all, only a parasite on the entertainment feature. It does not require the ratiocination of a Sherlock Holmes to conclude that what the sponsor wants is sales.

And sales he gets by compelling entrants, through more or less subtle methods, to buy his product. True, this is a bit difficult to accomplish when the article is an automobile, but with the lower-priced consumers' goods it is comparatively easy. You cannot insist that answers be sent in on automobile tires, but you can demand cigar bands, empty tooth-paste cartons, or soap labels. All you need do to get by the Post Office regulations which bar from the mails, as lotteries, any contests requiring a consideration for entrance, is to add "or its facsimile" to your demand. Not many facsimiles will be submitted. Not only does it require time and skill to make one that is satisfactory, but there is the dislike of being considered a cheapskate and the fear that if the contestant doesn't show evidence of having bought the article, he will have small chance of winning. The essay type of contest makes a purchase doubly sure. Mrs. Smith will have to experiment with Venida Soapless Oil Shampoo before she can report, in a limited number of words, what it has done for her hair. Finally, you enlist the dealers. You may say that entrance blanks are obtainable at "your dealer's" or you may give the dealer a prize too if the prize winner has purchased your product at his shop.

And that sales are made is indisputable. The Camay Soap Contest brought in about one million soap wrappers; Cremo Cigars ran for seven months, at the rate of eight thousand entries a day, twenty cigar bands per entry. Dutch Masters Cigars Contest sold 1,530,000 cigars to 153,000 contestants. But the permanence of such sales-increases is another story. Companies

are coy about giving out definite figures. In a confidential statement prepared by the National Broadcasting Company, over half the companies reporting failed to state the number of contest responses. Even if a direct check were possible, they would be still more loathe to specify ultimate results. Admission of success might result in the sincerest flattery by competitors: admission of failure is not the practice of the average business man. It is noteworthy, however, that the holding of contests sometimes becomes as insidious as peanut eating. The A. W. Fitch Company has run a continuous contest since September, 1933, while General Mills follows one contest with another. Shots in the arm, however effective, frequently necessitate further shots.

II

The cost of running a contest is terrific. The lavish prize money is the least of it. A contest with prizes totaling five thousand dollars cost thirty-five thousand to run. In another, more than fifteen thousand dollars was spent in sorting, reading and filing the 2,300,000 entries. The Jones Metal Stamping Company had to rent a loft, employ thirty-eight extra clerks, and borrow an executive and three assistants from its factory merely to handle the mail. It took another executive from the factory and eight additional stenographers to answer it. Not all mail consisted of contest entries: for in every contest, no matter how clearly stated the rules, there will be a mass of imbecilic inquiries ranging from "Must the answers really be posted by midnight next Saturday?" to "Is the contest a fake?" One broadcasting company, the day after a big contest opened, received fifty-four thousand inquiries by mail and twenty-seven hundred by telephone.

To judge their contest, The Jones Company employed five judges at a cost of three thousand dollars. At the end of the first month the sales increase was one hundred and thirty-two per cent, but the costs were out of all proportion to the rewards. Efficiency experts have not let such experiences go unnoted. The Pabstette Company boasts of having brought its cost down from ten dollars per entry at the beginning of a contest to fifteen cents at its conclusion; but this is still a high figure.

There are now specialists to meet the problems of contest sponsors and to save office staffs extra work. At least one firm is thoroughly equipped to handle contests from inception to conclusion, and many of the advertising agencies have special departments for the handling of contest mail. At its most efficient, however, the process of acknowledgment and handling still comes to six cents an entry.

Cost is not the only fly in the ointment. There is the potential creation of ill will which is almost incalculable. So few receive prizes: so many don't. Some of the many are disgruntled, and express their indignation. One early contest brought in its wake letters of complaint for a period of ten years. Deciding whether or not to give out the prize-winning answers is choosing between Scylla and Charybdis. If they are not reported, suspicion is aroused that the whole thing is a fake: if they are, someone is sure to say, "Now, wasn't mine better than that? Something's phoney." The name "dirty crook" is the mildest of the epithets hurled at the sponsor. One manufacturer received a letter from a father whose daughter, an honor student at college specializing in advertising, failed to win. The father announced that he was purchasing, in retaliation, the product of a competitor. Another irate loser not only declared that he would never buy another

one of the company's products, but swore he would not even deal in stores which carried them.

Worse than indignant letters are the lawsuits. These cases almost never get to court, usually being settled first, not because there is no defense but because they are nuisances. The only reason that there are not more suits—since they would seem to constitute a highly profitable racket—is that the type of person who goes in for contests usually not only has the ignorant's fear of going to law but lacks the cash to commence litigation. The indignation is there, none the less, though it may not be overt; it is doubtful whether sales even in the hundred thousands atone for the ill will contests can engender. How easy it is to fall into the "It wasn't fair" frame of mind is evidenced by the highly intelligent young man who, having won some kind of prize in a hundred and ten out of a hundred and twenty contests, caught himself thinking "There's something crooked about this," the few times he lost.

Some skeptics maintain that the advertising contest is an out-and-out racket, that prize-winning entries are pulled out of a hat. This, however, does not happen to be the case. Indeed, it is almost pitiful how honestly and meticulously contests are run. Not only would a dishonest contest subject itself to indefensible lawsuits, but even in contests murder will out. The magazine *Radio Art* exposed a contest for the most popular artist in which hundreds of ballots were given out to press agents on a preferred list. The contest was immediately stopped. The broadcasting companies, the Federal Radio Commission and the Post Office maintain stern surveillance over anything that might be a lottery. Advertising agencies and their clients must, in so widely publicized a scheme, keep themselves beyond reproach. Usually every entry is

acknowledged. Often the names are cut out of letters before they go to the judges.

The eighty or ninety per cent of the answers which never reach the judges are discarded by a clerical staff, for reasons within the terms of the contest: the entrant's name, or address, or both, have been omitted; he wrote Neb. instead of the name of his state in full; he omitted the name of his country; he wrote in pencil when the regulations clearly specified that he employ ink or a typewriter. Cruel though it may seem that thousands of hearts be broken in this cursory fashion, it is unlikely that many gems go by the board. Anyone unable to follow simple rules is unlikely to have a prize-winner's mentality.

Next a staff of trained workers, often schoolteachers or librarians, go over the material. They find many duplications, even multigraphed contributions. There will be some facetious, some dishonest—patent adults giving their ages as twelve or fourteen, offers to split with the judges, etc.—and some, though surprisingly few, obscene. Most are eliminated simply because they are platitudinous and commonplace. The remaining one or two per cent go to the judges.

How the final selection is made, obviously, depends upon the same human variables which determine what books are going to be published or what plays produced. The judge's mental slant and the state of his digestion both play their parts. And if, when two entries in a cigar contest seem to be of equal merit, and the prize goes to a traveling salesman rather than to a minister; or if, in a rural territory the distribution of the product is poor and the awards are made there rather than in a metropolitan district, who shall say that wish fulfillment and not undue pressure is the ultimate determinant?

III

The probability of contestants of slightly more than average intelligence winning prizes is so great that there exists a large group of professional contest fans. About fifty thousand of them actually make a living by their winnings. One man, an unemployed actor, cashed in two thousand dollars in prizes in one year, and has since, in recognition of his talents, got a good job at a regular salary with an advertising agency. Another resigned from the staff of Columbia University because he found contesting more lucrative than teaching. A third, in Chicago, takes in ten thousand dollars a year. Others go in for contests as part-time work. A Texas housewife and a Cleveland sales executive reported considerable earnings, while a stenographer earned twenty-five thousand dollars in a few years. Such gluttons for punishment are these regular contestants that they compete among themselves, with a silver cup awarded annually for the winner of the most prizes. Opinion among them, however, is divided as to the advisability of such publicity. What they gain in glory they may lose in cash, by having their names too well known.

Not that the pursuit of contest gold is a business. No, indeed; it is a "pastime". The stamp of sportsmanship is put upon it by the annual selection of ten winners for an All-American Contest Team. Only the noblest motives inspire winners who submit their answers in other people's names. Do bearded men impersonate housewives, schoolteachers write as soldiers in the first person singular, or non-smokers praise cigarettes in a friend's name, because they are afraid that if they win too many contests they will be spotted? Not at all. In the best Rotarian tradition, such a use of stooges merely offers an opportunity for

service. "I believe that prize contesting is a means whereby the profits may render helpful service to others. I believe that for prize contesting to be of greatest value one must take his friends into silent partnership. I believe that in prize contesting one's life should be rich, expanding—an abundant life, giving to others while receiving from them." This is the creed suggested by one contestant who made good.

Like other professional groups, they have a literature of their own. *Contest Gold: An Authoritative Treatise on How to Win and How to Write Winning Contest Statements* and *The Complete Contest Manual* are included in their bibliography. They have their own trade journals; *Contest Magazine*, *Contest News*, and *Contest World*. These publications list current contests, give news of personalities in the contest world, report winners, print winning answers with analyses of why they won, and losing replies with criticisms of why they lost.

Editorial comments are illuminating, though often contradictory. In the same month the editor of one magazine urged contestants above all, to be sincere, and to study the product before they wrote about it; while an article in another stated with equal conviction that sincerity was a great mistake—since the product isn't perfect, as both the writer and the manufacturer know, the best thing is not to know too much about it, but to imagine the perfect product, idealize it, and write about that. One can hazard a guess as to which method was followed by the woman who won minor prizes in both Pabstette and Pyrex contests. In both cases the winning statement began, "The heart of any woman, anywhere, swells with pride as she beholds the last morsel of food she has prepared vanishing." In the Pabstette Contest, she found that it

was the delicious flavor of cheese which made her family eat so heartily; in the Pyrex contest it was because the food was cooked in a glass baking dish.

Contest-wise entrants go to all sorts of trouble to have their entries differ in wording, handwriting, signature and place. Sometimes they organize into groups and there are veritable syndicates of contest fans. Complete parts are exchanged, assembled with a note of individuality, and entered from different parts of the country. But over all this activity hangs a fine mist of idealism. The *Contest World* heads its editorial page in the March, 1935, issue, with the following effusion:

Dear Lord, in the battle that goes on
through life,
A courage to strive and to dare;
And if I should win, let it be by the code,
With my faith and my honor held high;
And if I should lose, let me stand by the
road,
And cheer as the winners go by.

IV

The amount of time and energy expended by contest entrants is appalling. Where numerical odds can be fifty thousand to one, 49,999 individuals will obviously have wracked their brains in vain. Many of them will have gone to great lengths to find favor with the judges. Answers come in embroidered on quilts or pillows, set up in electrical displays, or bound in books of leather or even velvet and ermine. In a tooth paste contest words were listed on a paper strip emerging from a giant metal tube; in a coal contest, piles of coal were drawn with thousands of separate pieces, every piece containing a word. Those with a less whimsical turn of mind also consume many work hours. A list of twenty thousand words, so incorrect that it was discarded after the second page was read,

represented the labor of a week of fifteen-hour days. A fifty thousand word list used up thirty working days of eight hours each; and to be in at the finish the contestant would have needed seventeen thousand words more, or the equivalent of a hundred and two eight-hour days.

Many sponsors, too, feel that the contests they have held were a waste of time and money and that the same energy expended in other advertising schemes would have brought better results. True, through trial and error, a technique of holding contests has been worked out which, if followed, prevents them from being a total loss. The simpler the requirements, the better. Rules must be clearly stated, entries acknowledged, names of winners announced promptly, all letters answered, in order to forestall ill will. O.K.'s from the local post office should be obtained in advance and releases secured before the prize money is awarded. Throughout, there should be legal counsel. Many small prizes

are better than a few huge ones, because fifty dollars which will pay the doctor's bill seem more within the realm of possibility to Jim Smith than an income for life. For the same reason, short-term contests are preferable: a small prize next week is more alluring than a large one six months from now.

The fact, however, still remains that from the advertiser's point of view, the simple offer of a six cent premium or sample brings just as good a response as all the rigmarole, hullabaloo, and agonies of contests. Whether the latter are gaining or waning, whether they will be replaced by the simpler mechanism of offers, which have all their advantages and none of their disadvantages, is a moot point. It is generally admitted that contests are still flourishing but have about reached a plateau, though it is still too early to judge the general 1935 trend. Meanwhile, sponsors continue to expend untold energy, and entrants continue to waste untold hours of time.

PERJURY IN THE COURTS

BY JOSEPH N. ULMAN

BUT why are you so angry about it, my dear? The man wanted to win his case, so he lied. Or maybe he didn't lie at all; he may have believed what he said. Anyhow, it's not a thing to get in a rage about. When you go on like that, I wonder whether it's because you love the truth or because you hate to have anything put over on you."

Thus the lady who keeps my judicial Jehovah complex in order and cannot be held in contempt of court. I had come home tired and much annoyed. The case on trial was a suit on an insurance policy and was full of close questions of law that taxed my powers all day. Late in the afternoon, the general agent of the company testified that the insured had failed to give a certain written notice within the time limited by the policy. This was a crucial point in the case; if his testimony was true, I should probably have to direct a verdict for the defendant. But on cross-examination this witness began to falter when asked searching questions about his own letters to the home office of the insurance company; and suddenly, cross-examining counsel played an unexpected trump. He called on the witness to hand over for examination at the trial table his whole correspondence file. There, neatly filed in its chronologically proper place, was the missing notice, bearing in lead-pencil the initials of the witness who had just said he never received it. So far there might have been a mistake, a lapse of

memory. But counsel followed up this find by producing from the same correspondence file not one, but three letters written by the witness; and in all three he had mentioned this very notice and discussed its importance and legal effect.

At that point the court blew up. I did not trust myself to preserve the dignity that is supposed to hedge me, and announced abruptly that there would be a short recess. Safe in the privacy of chambers, I paced the floor and swore. When enough steam had blown off to make it safe for others to be in the room, I sent for counsel and suggested that they might deem it wise during the evening to discuss settlement, adding that I was inclined to adjourn court for the day to give them a chance. The case was settled that night; and the plaintiff got every cent he claimed.

Such was the event responsible for my bad humor, an event not without precedent. I remembered that in the voluminous notes I take in court there frequently appears, diagonally across a page in large, bold letters the word LIAR. I remembered also that from time to time when a witness seems especially untruthful I am apt to take a hand in the examination and ask a few questions on my own account, trying hard to trip the witness up. And I remembered that lying witnesses always make me very angry, though I take it for granted that everywhere off the witness stand men lie whenever it suits their convenience. Is my moral fervor for the truth

in court only vanity? Is it that I think of myself as an integral part of a mechanism for the discovery of the truth and feel a sense of personal outrage when I observe that the mechanism is imperfect?

Perhaps so. Nevertheless, truthful testimony is the necessary foundation for courtroom justice, and it is a fact that we have not yet succeeded in devising a system that insures the discovery of the truth in every case. In the main, we rely upon cross-examination of witnesses; but everybody familiar with court room procedure knows that this is often worse than useless. Not one lawyer in fifty knows how to cross-examine, and I fear it is an art that cannot be taught. In twenty-four years of fairly active trial practice I recall making half a dozen or perhaps ten cross-examinations that were important; and only two or three of these unmasked a deliberate liar. From the vantage point of the bench I listen to cross-examinations at great length every day, and most of them are sheer waste of time. In fact, more often than not they merely afford the witness an opportunity to strengthen his testimony in chief. The best that can be said for most cross-examinations is that they bring into the foreground elements of the case that have been slurred over or obscured during the initial examination of the witness. But if the witness has lied, usually the best course is to ask him little or nothing on cross-examination and to oppose to his lying testimony the truthful statements of another witness. The relatively rare dramatic exceptions to this rule only emphasize its general validity.

In addition to cross-examination we place our reliance upon two other means to obtain the truth in court—the oath and prosecution for perjury. Every witness is sworn to tell “the truth, the whole truth, and nothing but the truth.” Probably there

was a time when this was extremely effective, and it is not wholly ineffective even now. On one occasion when I was about to go to trial, opposing counsel told me that he had a witness who would kill my case, and insisted that I interview him. I did so, reported to my client what the witness said, and advised a compromise. My client replied: “I know that man and he may have told you and the other lawyer that’s what he will testify; but he never will say it under oath. We’ll go ahead with the case.” We did go ahead and the witness was put on the stand. His testimony was directly the reverse of what he had said it would be, corroborated my client fully, and won the case for us.

That, however, I believe to be an extremely unusual occurrence; most men who are willing to lie are equally willing to swear to their lies. The administration of an oath in the court room is generally a perfunctory performance; and even witnesses whose religious beliefs might be expected to exercise a restraining influence often seem entirely unimpressed by the ceremony. Some of the most shameless lying I ever listened to was done by rival groups of trustees in a contest over the control of a piece of church property. My notes of that case fairly shout L I A R; and I never did feel that I had got to the bottom of it.

Finally, there is the right to prosecute the lying witness for the crime of perjury, and the fear of such prosecution. Apparently most untruthful witnesses never give this a thought; and, from a practical standpoint, they seem to be quite right. Once I cross-examined a witness who did give a thought to it. In answering a question that seemed to get under his skin he looked at me defiantly and said: “Yes, that’s exactly what I said before and I *do* say it again! I’d have you know I wouldn’t purge

myself in this court room for you nor nobody."

Is the crime of perjury very common? Many believe so. A writer in a recent law journal asserts that there is perjury in 50% of all contested civil cases, in 75% of all criminal cases, and in 90% of all divorce cases. Before discussing this technical question, let us consider a much simpler matter. What proportion of witnesses lie when they testify? On this point I differ with many observers, for I believe that nearly all witnesses try to tell the truth. Telling the truth is not so simple a matter as many would have it; and I do not regard a man as a liar unless he wilfully says something he knows to be untrue.

II

For example, a judge said to me recently that practically every plaintiff in a personal-injury suit lies when he describes his symptoms and recounts his sufferings. This judge was especially hard on the plaintiff with the injured back. "It is an outrage," he said. "Day after day they get on the witness-stand and claim they were laid up for weeks, often for months, following the most trivial accidents. There isn't the slightest objective evidence of injury, and I know they are lying. Every plaintiff in a 'back case' ought to go to jail."

That vigorous statement failed to impress me. Two summers ago at the beginning of my vacation I stepped on a loose board. No accident could be more trivial; there was not the slightest objective evidence of injury; but I lay helpless for six weeks within sight and sound of my tennis court. I may add that many an honest doctor has had occasion since that summer to be grateful for my accident. Hard-pressed on cross-examination, a doctor is compelled to admit that his patient showed

no bruises, yet complained of severe pain. "But pain is subjective, isn't it, doctor? You have to take your patient's word for it?" And the doctor tries his best to explain to the jury why he believes his patient really suffered. Then I ask: "In making your examination, what, if anything, did you observe regarding muscle spasm?" And then: "What have you to say about the patient's ability to control or to simulate muscle spasm?" These questions from the bench often enable the doctor to escape from the unfair dilemma in which this formula of cross-examination has trapped him; and I believe the cause of justice has been promoted.

To return to a plaintiff's own testimony about his injuries, of course I know that sometimes exaggerated description of suffering and disability mounts to the dignity of a forthright lie. Every insurance company lawyer tells stories of deliberate malingering and of even more flagrant cases where accidents and injuries are made up out of whole cloth. But dramatic though these stories are, twenty-four years of active practice at the bar and ten years of observation from the bench entitle me to say that they are distinctly exceptional. Probably most people tend to dramatize situations that involve themselves; exaggeration follows naturally and quite honestly; but that is very different from purposeful lying.

As for the widely varying accounts of the same event given by different witnesses, these usually indicate nothing more sinister than individual differences in powers of observation, of expression, or of memory. The late Professor Münsterberg and others have familiarized us with these phenomena; and anyone can prove the point for himself by a simple experiment. When five or six persons describe an event they are sure to differ in one or more im-

portant particulars, even though they testify immediately after the thing occurred. A witness in court has many added handicaps. Lapse of time causes him to forget what he saw or heard; the unfamiliar surroundings often terrify him; and he is confused by a legal jargon that might as well be a foreign tongue. These conditions may make the most honest man hesitate, qualify, and contradict himself as well as others; and it is extremely unsafe to jump to the conclusion that he has lied.

Then we have the expert witness, called to express his opinion on a technical question. A great deal of strong language has been used about experts and no doubt some of it is deserved. But here again one should be cautious. A doctor who testifies about a neurosis or a mental disease is bound by the very nature of the inquiry to deal with matters insusceptible of exact demonstration. He can draw a long bow, of course. He can tell a deliberate lie. But time and again I have been surprised when the experts called by the defendant have, to all intents and purposes, confirmed the opinions that seemed extravagant when expressed by the plaintiff's experts. Furthermore, a new technique of soul-searching will have to be devised before we can say safely that any expression of opinion is a lie.

To sum up, then, undoubtedly witnesses do lie at times. In criminal cases the testimony offered to prove an alibi is so often palpably false that most judges are likely to disbelieve perfectly truthful evidence offered for that purpose. On the whole, however, I believe that purposeful lying both in criminal and in civil cases does not happen nearly so often as some would have us think.

But telling a lie, even on the witness-stand, is not necessarily perjury. Defined technically, perjury is a false statement,

knowingly and wilfully made, by a witness properly sworn in a proceeding in which an oath was required by law, in regard to a matter material to the issue in that proceeding. Such a definition presents many loopholes for successful defense; and conviction is extremely difficult to obtain. Recently some states have enacted so-called false-swearing statutes, under which many of the technicalities are relaxed considerably. Yet, under these statutes also, relatively few persons are prosecuted and still fewer are convicted. In a number of cases judges who felt especially outraged by a lying witness have tried a short-cut. Instead of initiating a prosecution for perjury that they knew in advance would fail because of technical defenses, they have cited the witness for contempt of court and imposed a summary penalty. This I have never felt tempted to do. I prefer to remember the warning expressed by Chief Justice White in an opinion of the Supreme Court of the United States: "If the conception were true, it would follow that when a court entertained the opinion that a witness was testifying untruthfully, the power would result to impose a punishment for contempt with the object of exacting from the witness a character of testimony which the court would deem truthful; and thus it would come to pass that the potentiality of oppression and wrong would result, and the freedom of the citizen, when called as a witness in court, would be imperilled." How valuable a thought lurks at the centre of this verbal labyrinth!

III

Prosecution for perjury is so hard to bring to successful conclusion that it is seldom begun. For example, in the courts of my city about 2700 civil cases and about 4600 criminal cases are tried annually. Among

the civil cases are included about 1000 divorce cases. If perjury is as frequent as the author quoted above would have us believe, it follows that the crime is committed in about 5000 of these cases. This I regard as a gross over-estimate; but assuming only one-tenth that number, we should still have 500 cases for possible prosecution each year. Yet in the past three and one-half years there have been only twenty-four indictments and twelve convictions for this crime. The figures from other cities are similar, and it is fair to say that the criminal law against perjury is a dead letter. I myself have caused a prosecution to be initiated but once, and that in a case so flagrant that the defendant pleaded guilty and attempted no defense.

Various reasons have been suggested for this breakdown of the law. Many thoughtful critics lay the blame on the technical refinements that make it so difficult to convict. Others claim that our whole system of evidence is at fault, that the rules of evidence invite men to lie and make it hard for them to tell the truth. No doubt, both these factors play a part; but when a section of the criminal law ceases almost entirely to operate, one must look deeper for the cause. The failure of the late-lamented Volstead law supplies an example of what I mean; rigid Sunday observance laws furnish another. America's reigning favorite of the screen expresses this bit of social philosophy succinctly in the phrase, "It ain't no sin." The simple truth is that in our social *mores* dog-eat-dog is the working philosophy of life for most of us. Law-suits between individuals as well as criminal prosecutions are games of wits and skill, and they are played by the rule of the jungle. Outraged judges may declaim that perjury dries up the fountains of justice, and they are right. But those fountains will not run clear until John

Smith demands that they shall run clear. As long as the man on the street assumes that the defendant in a criminal prosecution is only exercising his inalienable rights as a free-born citizen when he offers a false alibi to circumvent conviction, so long will there be perjury in our criminal courts. As long as our law of divorce remains founded upon an out-moded concept of marriage, so long will perjury be accepted as a necessary and entirely excusable feature of divorce litigation. And until business and politics operate under the Golden Rule, witnesses in civil cases will continue to lie when on the witness stand just as they break promises and cut sharp corners in their work-a-day world. Moreover, it will continue to be almost useless to prosecute them. Juries will not convict because in their hearts they have a sneaking admiration for the successful liar.

Is this then the philosophy of despair? Can nothing whatever be done? I am not quite so hopeless as that. Recently a scientist who had been looking into our legal system expressed to me his surprise that we have developed so few instruments of precision. Probably he was thinking about the failure of our courts to approve the use of such mechanical aids as the so-called Lie Detector. But I am persuaded that great caution is necessary in the use of such a means to test the veracity of witnesses. Variations of blood pressure and of association time are relatively easy to observe; yet any really competent experimental psychologist will bear me out that the right interpretation of such data depends upon great technical skill as well as rare judgment on the part of the interpreter. In time, some help may be expected from this quarter, but it is well to proceed slowly.

In conclusion, I wish to submit two constructive suggestions. The first comes to me out of the notes I have made during

my ten years on the bench. I have looked over my notebooks and checked up the instances when my indignation exploded into the word L I A R. When I searched for a common factor in all these instances, I found it—the type of lawyer who had put the witness on the stand. Baltimore is a relatively small city, and a judge in our courts soon learns to know the lawyers who practice before him. He knows which are good trial lawyers in the sense that they prepare their cases carefully and are familiar with the law. He knows too, and this is more important, those who have a high sense of professional honor and those who are essentially shysters. We have comparatively few shysters; but it startled me to discover the large proportion of perjured testimony these few brought into court. The explanation for this is not far to seek. Every careful lawyer talks at length to his witnesses before he puts them on the stand. In the privacy of his office he can almost always discover their motives; and if they testify falsely he is largely responsible.

In this connection it is only fair to note that the lawyer responsible for perjured testimony is apt to be a relatively humble practitioner, lacking subtlety and legal acumen as well as moral integrity. Unfortunately, more distinguished members of the bar are frequently as guilty as he, though their offenses are not so crass. They do not permit their witnesses to lie, but they connive with them for a presentation of the evidence in such manner as to mislead both judge and jury. This brings me to my second suggestion.

The trial of cases follows the forensic method. Counsel at the trial table are not trying to discover the truth; they are trying to win their cases. The presiding judge, however, ought to be interested in getting at the true facts. In America, all too often, he regards himself as a mere umpire, charged only with the duty of calling legal balls and strikes. Most American lawyers think a judge should never question a witness.

In England, on the other hand, the judge takes an active part in the examination of witnesses and often controls the development of the case. Somewhere between these extremes lies the way of wisdom. A trial judge certainly ought to allow counsel to develop their cases without undue interference; but there is no reason for him to sit supine in the face of sharp practice. Both outright perjury and subtle attempts to exploit half-truths can be checked in many instances by a judge who wants the true facts brought out and is not afraid to assert himself.

The prevalence of false testimony, then, is a challenge to the American bench and bar. Let judges regard themselves as a real part of the fact-finding mechanism, and let the bar make good its boast that the practice of law is an ethical profession, and false testimony will almost disappear from the witness stand. Lawyers and judges comprise the one organized group in our society which can do something more than talk about this evil; and unless they have the courage and the honesty to act they ought to stop talking.

THE CLINIC

Newspaper Authors Never Arrive

By KARL F. ZEISLER

HAVING gone from the chamber of commerce beat to the job of managing editor, in a newspaper career spread over half a dozen cities, my experience with ink-slingers moves me to conclude that no one can win literary laurels in this racket. So I want to speak right out in meeting and tell the professors of English that, by sending their A students out to look for newspaper jobs, they are ruining more Hemingways and Faulkners than Hearst could shake a stick at. No one who really hopes to write should ever hang his hat in a city room unless he wants to spend a lifetime grinding out obituaries and getting rejection slips from the pulps.

I say this without reservation, because I have seen too many promising young writers eviscerated by the daily prostitution of their talents demanded in the very nature of newspaper work. And because common sense tells me that endless repetition of the formula stories such as fill nine-tenths of the reporter's day can never lead to a mastery of English prose.

What on earth motivates the annual hegira of literary aspirants from the campus cloister to that harshest facet of the outer world, the newspaper office? Every spring I glare across my battered desk at a battalion of bright-eyed poets, embryonic novelists, essayists, biographers and critics, all intent on going to work on a paper for their literary apprenticeship. Talent they may have, as their class records and professorial letters of recommendation often

attest, but why crucify that talent on the journalistic cross? Twist any of them on the skewer of a few frank questions and they confess the faith that several years of newspaper work will qualify them for full-fledged, name-on-the-cover authorship. Why? "Professor So-and-So said the best way to learn writing is to write, so I thought working on a newspaper . . ." (St. Luke's Lutheran Ladies' Aid Society meets Thursday for a potluck dinner and to quilt). Or "Newspaper work will give me the contacts with people, the slices of life . . ." (did you ever read a story with a County Drain Commissioner for hero?). Or "I'll see life in the raw . . ." (as when they reassemble at the morgue the scattered anatomy of the grade-crossing imbecile).

No matter how pontifical the classroom advice that impels this post-mortarboard invasion of newspaper offices, I say it's boloney. Are new-hatched surgeons advised to work in butcher shops? Do you set young Rodins to breaking pavement with air drills? Did Cézanne learn to paint by painting—privies? Not on your life. And so for the same reason no budding *littérateur* is going to learn to write by writing reports of two-alarm fires.

Obviously, to anyone who has worked on a newspaper long enough to get copy-reading corns on his fingers, the pedagogues who hand out such advice have never come closer to newspaper work than writing letters to the Voice of the People.

The press always gets its severest pannings from the professors but, when the brightest students of these same tutors ask what to do while undergoing the mystic metamorphosis into authorship, the newspaper is held out as the honey-dripping Elysium of opportunity. My gorge rises at the thought. I'd enjoy showing the professors some of the youngsters I have seen who followed their advice — and wound up a few years later in the 24-hour pinocle game in the station-house press room.

I am not ignoring the fact that the galaxy of literary luminaries numbers a few bright stars plucked from the diadem of journalism. But I insist that the Ring Lardners are the exceptions that prove the rule. They had genius to begin with. They would have produced literature if they had spent their tender years jerking sodas — and probably a darned sight sooner, too.

Join the Navy, dig ditches, teach kindergarten, tend bar or work for the FERA, but don't get a newspaper job, if you want to write. Not only is the endless hammering out of disconnected compositions, made up entirely of meaningless names, dates and places, fatal to the nurture of literary talent; there is also the febrile poison of journalistic routine for which there exists no adequate illustrative parallel in any other occupation. The brass hats of the press call this the fascination of the game. It is actually an intoxicating excitement, exhaustive of every creative impulse and stultifying to every fine sensibility. Every newspaperman to whom death, romance and tragedy have become commonplaces and who has tried to analyze the feeling will know what I mean.

When will the young reporter ever find time or energy to write his lovely prose? He trots from office to office, pursued by the dread of missing something picked up by his opposition, pursuing the unrelent-

ing hope of uncovering a good story himself. He pounds out his insignificant pieces on the fly, hoping some routine item will make a feature head on Page One. All the time he is gearing his human machinery to the merciless monitor of edition deadlines. If he writes ten lines of his own stuff after his trick is over and the day's intoxication has worn off, I'll gamble he has the making of a literary genius. But six nights out of seven he'll stop at his paper's favorite bar and wake up next morning with a headache and one step farther removed from starting the Great American Novel.

You may call it laziness if you wish, but that's what happens to your budding author once he is caught by the spell of newspaper work. I am convinced that the very nature of the game saps ambition and constitutes a stranglehold on creative energy.

In my job I've seen many a potential author hamstringing his literary colt before it learned to trot. Working day after day in this limbo of letters, he is persuaded by each praiseworthy piece he turns out for his paper that he possesses the seeds of authorship. The pageant of all the elements that go into great books passes ceaselessly before his eyes, making him long to transfix them on the printed page. But his job, while holding out this constant temptation, like the harlot muse it is, exerts even stronger temptations to fritter away his energy and talents. Good writing is the mirage over the barren desert of newspaper work.

Professors can go on sending star pupils into city rooms until American literature atrophies. Stanley Walker can keep on writing books until the public knows more about his job than he does. But I'll stick to my story that newspaper staffs, no matter how crammed with literary yearners, can never be the awkward squads of authorship.

The Shaky Case Against Absinthe

By H. E. TURNER

IN SPITE of the repeal of national prohibition there remains one liquor—absinthe—the importation and interstate shipment of which are still prohibited by federal law. In fact, such traffic in this powerful, green liquor has been illegal since October 1, 1912. On that date it was declared to be a food containing poison by the Food and Drug Administration of the Department of Agriculture. Although the decision does not and could not prohibit its manufacture and sale strictly within the bounds of any single state, the individual states quickly followed the lead of the federal government so that now legal absinthe is a thing of the past.

In this prohibitory action the nation followed the lead of such countries as Holland, Belgium and Brazil, which had banished the drink prior to 1912. As a matter of fact, their prior action occasioned the ban in the United States, for the Department of Agriculture obtained its prohibitory authority from that section of the Food and Drugs Act which forbids the importation of any food or drug "of a kind forbidden entry into, or forbidden to be sold or restricted in sale in the country in which it is made, or from which it is exported". Furthermore, the same section of that act grants further authority for the decision where it forbids any food or drug "otherwise dangerous to the health of the people of the United States". If that were not authority enough, Section 7, paragraph 5, of the same law provides further that an article shall be deemed to be adulterated "if it contains any added poisonous or other added deleterious ingredient which may render such article injurious to the health".

Fortified by such backing, the Depart-

ment said: "The beverage commonly known as absinthe is a manufactured product containing wormwood, or absinthe (*Artemesia Absinthium*), an added deleterious ingredient. The interstate shipment of this product is, therefore, prohibited. . . . Importations of absinthe, therefore, are prohibited, both because they come from countries which forbid or restrict its manufacture and sale, and because these products are injurious to the health of the people of the United States".

Even France, looked upon as the greatest absinthe drinking country of all, prohibited the manufacture of the liquor with the coming of the World War. Confronted with all this condemnation one is forced to the conclusion that there must be something radically wrong with the drink. What is the danger that lurks within the innocent-looking limpid emerald liquor? Those who have studied the matter hesitate to believe that the Department's diagnosis, as given above, tells the whole story or, in fact, that it tells even part correctly.

On the surface, the government's position appeared plausible; so much so that on March 16, 1934, the Federal Alcohol Control Administration went further and ruled that "Products similar to absinthe manufactured without the use of wormwood or other deleterious substance may not be labeled, branded or advertised as absinthe and the marketing of any product under the name Absinthe, whether or not such product contains wormwood or other deleterious ingredients will subject such product to seizure under the Federal Food and Drugs Act, even though the label bears a statement showing the absence of wormwood".

There is in this drastic ruling a hint that, after all, the trouble may *not* lie in the presence of wormwood. Actually, the much-maligned drug, *Artemesia Absinthium*, is not the most essential ingredient of absinthe. The drink is made from some eight or ten herbs, among them being Angelica Root, Sweet Flag, Dittany, Star-anise Seed, and other aromatics. Swiss absinthe, made by the renowned Pernod family, does not contain the drug at all; it contains, instead, the oil of a plant of the same family known as *Artemesia Rupestris*, a creeping plant, whereas the drug prohibited comes from a bush. There are dozens of wormwoods, such as that obtained from a form of seaweed and the American desert sagebrush, but only one has been banned. Swiss absinthe, therefore, could hardly be prohibited, because it does not contain a single banned ingredient and yet, under the FACA ruling, it cannot be imported under its rightful name.

But be that as it may, let us grant that for absinthe to be genuine it must contain absinthol (the oil obtained from the forbidden drug). What of it? Is it not fair to ask whether the liquor would contain the drug in poisonous amounts? The answer is not obscure. In the average formula for absinthe there would be about thirty to thirty-five drops of the oil in a quart of the beverage. But wormwood is recognized as having definite therapeutic value. It is listed in the United States Formulary, the druggist's Old Testament. The average dose for adults is from one to two drops. In a quart of absinthe there would be from seventeen to eighteen maximum doses. In the average drink of absinthe or absinthe cocktail (one ounce) there would therefore be far less of the oil than a doctor would prescribe to alleviate a fever. In fact, the amount of the "poison" in the drink is so small that even an expert chemist would

have difficulty in isolating it in a painstaking analysis. Accordingly, it is inaccurate to represent wormwood as being present in dangerous quantities. In any event, absinthe may be made without any wormwood at all and yet be good enough to carry the connoisseur into ecstasies.

Well, if the trouble does not lie in the wormwood, where is it? Surely so many nations would not have outlawed absinthe without sufficient reason. Surely if Picasso's portrait of the absinthe drinker reveals only a fraction of a stark truth, there must be some tragic danger involved. I venture an explanation. The trouble may be twofold: the extremely high percentage of alcohol in the first place and, secondly, the unusually low percentage of solids in solution in proportion to the excessive alcohol. These two basic characteristics of absinthe may quickly be seen from the following table:

<i>Product</i>	<i>Percent of alcohol by volume</i>	<i>Percent of solids in solution</i>
Absinthe	60	.18
Benedictine	52	36.00
Ginger	47.5	27.79
Crème de menthe	48	28.28
Curaçao	55	26.60
Kümmel	33.9	32.02

While this table is not extensive, to lengthen it would merely serve to emphasize the facts indicated above. Absinthe has the highest percentage of alcohol of any liquor made—at least of any liquor of reputation, and has such a small percentage of solid matter in solution as to make comparison with any other liquor out of the question. On this last point there is nothing but astounding contrast. Even 3.2 beer has from three to five percent solids. What does this mean?

The answer to this question is apparent when one recalls that any alcoholic liquor

has its most telling effect when taken into an empty stomach. The effect produced will vary, therefore, not only with the percentage of alcohol but will also depend upon what else besides alcohol is taken into the stomach, in the drink itself. As a general rule, the less solids the drink contains, the more intoxicating it is, and vice versa. A man can get drunk on benedictine, if he doesn't get nauseated first, but not so with absinthe. Curaçao may produce a good jag, but it will not drive you nuts. With absinthe, drinking it straight is about the same as drinking pure alcohol diluted one-third with water.

This brings us to what is perhaps the greatest danger in the stuff; the wrong way to drink it. When absinthe first became popular among the French officers in the Algerian war, it was found to be beneficial in small amounts, diluted, for reducing fever. But the *poilus* liked the liquorishly bitter taste and soon learned that, taken straight, it packed an immediate and powerful wallop. Back in France the manufacturers immediately catered to this taste and produced lakes of poor-grade absinthe. Soon the devastating effect was racking Europe, especially in such coastal towns as Bordeaux and Marseilles, where sailors came ashore for an uproarious leave.

Taking absinthe straight is an utter ab-

surdity, not because of the wormwood, but for the reasons already indicated. Drinking it as it should be consumed, with liberal quantities of ice and water or as one ingredient in a cocktail, the drink probably has no more harmful effects than any other liquor reduced to a similar proof.

What will it take to bring absinthe back into good repute? Primarily a practice in the art of drinking it. Such a consummation may never be realized by guzzling. But if such practice prevailed, could the devotees of the emerald hour obtain the liquor? It is still made in Switzerland and Spain, for export. Some may find its way into the United States via rum runners or from Mexico where its manufacture and importation are still allowed. But only small amounts will come this way, and the lover of the drink will, for the most part, be forced to look for it in its American form. Not that it can't be found. Quite the contrary, because it is on most bars, under such cognomens as Green Opal, Herbsaint, Milky Way, or Pernod. Marketing it under such strange names constitutes a great handicap to American and foreign rectifiers, but the product itself, though it contains no wormwood, may be, and very probably is, as much an absinthe as ever was made by Pernod Fils in Neuchatel or Bordeaux.

Genesis of the Southern Cracker

BY W. J. CASH

FOR years it has been the fashion with historians to explain the white cracker of the South as simply the product of degenerate blood-strains from Europe—the progeny of the convict-servants and redemptioners of Old Virginia. But the theory defies logic and the known facts.

Actually, the source of the cracker is identical with that of at least 90% of all other Southern whites. He stems, mainly that is, straight from the common Scotch-Irish, English, and German stock which from about 1740 on was slowly filling up the huge Southern wilderness lying behind

the thin sliver of coastal civilization built on tobacco, rice, and indigo. And in that backwoods of the eighteenth century, he was so little set apart from his neighbors that he married very much whom he pleased, became by 1800 related to nearly everybody within a radius of thirty miles about him, and so today boasts exactly the same names as the most pretentious Southern families.

What differentiated him, what created the type, was the invention of the cotton gin and the spread of the plantation to the back country. The plantation was inordinately greedy of land; the acreage adjudged suitable for the growing of cotton was limited; the number of possible units was small. And in the fierce competition thus engendered (a competition complicated by wildcat finance), these prizes fell swiftly and mainly to the strongest among the population; the weaker elements were driven back to the rejected lands and the estate of either the yeoman farmer or — on swamp and sand lands and in the pine barrens and red hills — of the poor-white. Nor were they only driven back. Because of the peculiar static quality of the Southern order, they were locked up and closed in — completely barred from any economic and social advance as a body.

The life to which the cracker was thus condemned was one of constant impoverishment. The plantation and his own waste had presently destroyed the forest. The hunter who had formerly foraged for the larder while his women hoed the corn now spent most of his time on his back, disdaining to do work which habit had fixed as effeminate, and consoling himself for the poorness of the shooting with a jug of what he himself had named "bust-head." His diet sank to a routine of cornpone, hog, and turnip greens. Nutritional disease, hookworm, malaria, indolence —

all these joined hands to accentuate the lankiness, the boniness of head and feature, which the backwoods had already stamped upon him; conspired with the blistering sun of the land to give him the marked swarthinness or the odd colorlessness of skin and hair which distinguishes him.

But more important still was the fact that the plantation contrived, not deliberately, not consciously, yet with a great effectiveness, to see that he developed no ponderable resentment against his fate. Thus, if it had robbed him, the plantation had nevertheless nearly everywhere left him some sort of land, and, having no use for his labor, it nowhere directly exploited him. His independence was untouched. Thus again, if it had blocked him off from advance *en masse*, it had not closed the door on him as an individual. Always it was possible for the strong, sturdy lads, who still thrust up from the old root-stock, to make their way out and on. Thus once more, if it had introduced distinctions among white men, the plantation had also introduced that other all-dwarfing distinction between the white man and the black — at the very moment of the poor-white's degradation, it had elevated him to a tremendous superiority that, come what might, he could never publicly lose. And finally, the coming of the plantation had definitely created the celebrated Southern manner — a genial, expansive, hand-on-shoulder manner which would be ideally calculated to draw the sting from the rising contempt for the cracker.

The upshot was certain. The cracker almost completely abandoned economic and social focus, failed wholly to develop class feeling, and, in the great leisure that was his, gave himself up cheerfully to elaborating the old backwoods pattern of amusement and distinction — became in his fashion a remarkable romantic and he-

donist. To fiddle, to dance all night, to down a pint of raw whiskey at a gulp, to bite off the nose or gouge out the eye of a favorite enemy, to father a brood of bastards, to fight harder and love harder than the next man, to be known eventually far and wide as a hell of a fellow — such would be the pattern he would frame for himself. And if this left him a little uneasy, if it bred in him a sense of sin, well, there was escape in orgiastic religion.

But after the Civil War — in which he fought manfully to keep things just as they were — the cracker's world was to be rudely upset. For the South, bled white and needing money imperatively, was to turn with increasing passion to the pursuit of that *fata morgana*, cotton. From 1870 to 1880 it doubled the production; in the next decade it tripled it. And that, mind, primarily by falling back on the lands which had once been held as of no account for the staple — the lands of the yeoman and the poor-white.

Growing cotton on such lands, however, required fertilizers. And to provide fertilizers there arose the credit-merchant, who normally demands 40% (sometimes 80%) interest for his services, an exaction before which the poor-white was hopelessly lost. Literally by the thousand he attempted to grow cotton, failed, and was sold out. Nor was he alone. Hundreds of those who had been yeoman farmers met the same fortune.

So there grew up in the South the white cropper and the white tenant — the head and font of the poor-white in our time. And this, of course, might naturally have been expected to restore economic and social focus and to beget class consciousness in him. For here, plainly, was an end to his freedom from direct exploitation and to his independence.

It was not to be, however. At the mo-

ment when so much of his heritage was crumpling, the remainder of that heritage was being greatly enhanced in value. Everywhere the South was engrossed in its great fight for white supremacy, everywhere preservation of superiority to the Negro was becoming the first thing. And in the poor-white, who had no other superiority to lose, this feeling was most intense of all. Hence, when he found himself falling to the status of cropper and tenant, what held his gaze to the exclusion of everything else was the spectacle of the grinning face of the ex-slave rising into his own.

Conceivably, of course, this fixation itself might have issued into hatred for the plantation order, in revolt against the whole social arrangement. But the cracker was habituated to thinking of his masters, not as antagonists but friends. And now these masters, seeing that there would not be room on the plantation for both the blacks and all this increasing crowd of whites, terrified at the imminent prospect of a life-and-death conflict between the two groups, a conflict that might easily upset the entire Southern fabric — now at last these masters were concerned with what was happening to the poor-white and were moving heaven and earth to find at least a partial sanctuary for him. Out of that, as much as anything else, came the Southern cotton mill.

Thus, the cracker, seeing hands everywhere reaching down to bear him up, seized them eagerly, grappled back with the pathetic passion of his heritage, and gave himself over fully to the purpose, not of making his own way up but of keeping the black man down. And there to this day he still stands, helplessly caught in his obsession.

Through the years, his status has swung steadily downward. Industry, if it saved

him racially, has elsewhere merely heaped evil on evil. With its consort, commercialism, it has piled the banker on the credit-merchant and begot the cracker an army of new masters. Widening opportunity for a moment in the beginning, it has now all but closed it up. Spawning towns and shifting the center of social gravity, it has introduced and made well-nigh universal the vicious wrong of absentee landlordism. And in rolling up relatively immense wealth at the top, it has infinitely broadened the social gulf.

All of which means eventually that the cracker has been increasingly despised. Only the politicians treat him to the old easy manner now. For the rest, the treatment meted out to him daily assimilates itself more and more closely to that meted out to the black man.

Does he fail wholly to see this? Of course he doesn't. It has been eating into him for years, making him bitter and sullen. But there is nothing he can do about it. For at the end of every possible road lies this implacable fact: to succeed in

revolt he must join forces with the Negro. And rather than do that, he prefers to starve and to rot.

Accordingly, the cracker goes on steadily tumbling down the slope into degeneracy, waxing ever more shiftless, and perforce discharging his energies, in so far as they are not squeezed out of him, in the old channels—in striving at once to console and to amuse himself, to achieve dignity and value, by playing the hell of a fellow. In dancing and fiddling when his ministers will let him, in fantastic religion, in hard drinking and hard fighting and hard loving, but above all in violence—above all, in violence toward the Negro. And perforce, too, the ennui, the bitterness, the viciousness, bred in him by the always-narrowing conditions of his life, pour over to the elaboration of this pattern, to making him at his worst a dangerous neurotic, a hair-trigger killer, a man-burner, a pig quite capable of incest—in brief, everything that William Faulkner and Erskine Caldwell have made him out to be, and perhaps something more.

The Truth About Foot Remedies

BY JEROME W. EPHRAIM

NATURE, according to the biologists, intended mankind to walk barefoot on the soft ground. Whether the biologists actually can claim to have inside information as to nature's intentions may be a debatable question, but it is fairly clear that feet are better adapted to free movement on soft earth than walking, heavily encased in leather, on hard pavements. Yet we have to walk on hard pavements whether we like it or not. The Indian moccasin is fine for the Indian in open country. It gives full play to his toes and

his arches; he walks correctly, that is, naturally, and rarely has to worry about bunions and flat feet. But it is no panacea for the town dweller; it would actually prove harmful. We have to wear shoes. But we do not have to say goodbye to common sense.

The foot is a remarkable structure. It is not merely something to stand on, not merely the terminal part of the leg—it is actually an organ of the body with highly complicated duties. Any rational consideration of foot ailments or foot remedies must

begin with this fact in mind. We are not dealing with a relatively inert object but with an artfully contrived mechanism consisting of twenty-six bones arranged in arches and piers and supported by numerous ligaments, tendons and muscles. Such a mechanism, affording both stability and resilience, deserves — but usually does not get — good treatment.

The human foot will take a considerable amount of punishment. An ingenious statistician has figured out that during the course of a day an average pair of feet will be called upon to lift, merely in the act of walking, a million pounds. Even for a sedentary individual of fairly light weight, this lifting will amount to more than one hundred tons for each foot. Now consider that the vast majority of the population grossly mistreats its feet (principally by wearing faulty or ill-fitting shoes), and the surprising thing is not that our feet frequently protest, but that we are able to get any service out of them at all. These pedal extremities are remarkably patient and long-suffering. Even a Chinese lady of the foot-binding era could hobble around a little; and American women in their short vamps can actually walk after a fashion.

Nevertheless, for all its strength, the foot is a delicate mechanism and likely to be resentful of long-continued abuse. Practically all foot ailments that people generally complain about are in fact due to such abuse. Some conditions (as of clubbing) are of course congenital; some reflect disturbances of the general body economy; but by and large, if our feet hurt us, we have only ourselves to blame. And in the majority of cases it is only through our own intelligent and persistent effort that we can effect a cure. Actually a cure is nearly always possible, but most people go on suffering for years rather than make the effort. Being vain, lazy and inclined to

believe in miraculous healing (like the rest of the human race), the average foot sufferer prefers to experiment with salves, plasters, lotions, braces, arch supports, corrective appliances and orthopedic shoes, instead of getting down to fundamentals. Yet artificial aids at best can in most cases give only temporary alleviation; often they aggravate the condition they are intended to relieve. The rigid arch support, for example, is merely a crutch and, instead of assisting the foot to recover its normal function, will in the long run tend to weaken it and to bring other troubles in its train. Again corn plasters, callus cures and the like are useless so long as the friction and pressure which cause the growth are not removed.

The first consideration, and by far the most important, is proper shoes. Nothing is likely to do any good as long as the victim persists in wearing shoes that distort or cramp the feet. What we require is a good sturdy shoe, giving ample room for the toes and with soles sufficiently thick to provide protection against the shock of constant treading on hard, unyielding surfaces.

Must shoes be orthopedic? Not, if by orthopedic is meant trick shoes with reinforced shanks, special supports or other curative gadgets. These should be avoided by people with normal feet; their possible usefulness, or otherwise, for persons with abnormal feet will be considered subsequently. But there are two important points that should be observed: the inner edge of the sole should be straight or nearly so, and heels should be low. There is no secret about these prescriptions; they are recommended by every orthopedic specialist, yet they are nearly always conspicuous by their avoidance, especially in women's shoes; and even in men's shoes, while the heels may be fairly low, the

inner edge of the sole usually curves toward the center of the foot, crowding the toes and forcing the great toe out of its natural position.

When the ligaments and muscles weaken or lose their tone, the arches sag and foot troubles begin. One of the commonest of these afflictions is flatfoot or weakening of the longitudinal arch, often easily recognizable by the shuffling gait, run-over shoes and the out-turning toes of the victim. The tendency may also be observed by placing the wet foot on a piece of dark colored paper; due to the uplifting effect of the longitudinal arch, the normal footprint is narrow in the middle, wide at the extremities; whereas the flat foot gives a characteristic print of full width, reproducing nearly the entire under surface from heel to toe. This provides a rough-and-ready diagnosis and is by no means final, even when taken on a foot-printing device in a shoe store. Some arches are naturally low yet are not a source of discomfort; some, though apparently high, exhibit flatfoot symptoms.

In the main, however, the footprint is a useful means of estimating the condition of the foot and the progress of treatment, if and when it is undertaken. Such treatment consists mainly in correcting the walking posture, daily massage, and persistent exercises to strengthen the muscles of the calf and foot. Chances of recovery are excellent, provided the patient carries out the treatment to the fullest extent—which he rarely does. Instead he falls back on an arch support as a crutch. While this is in every way objectionable, it is quite permissible and often desirable to use a felt pad for temporary relief and support while the muscles are regaining their strength. But it must not be overlooked that the muscles are the only agents capable of restoring the arches, hence the

uselessness of rigid appliances and the paramount importance of exercise. A foot is as strong as its muscular power. If the muscles are weak, the feet are weak. If the muscles are strong, the feet are strong. The strength of the muscles depends upon the amount of exercise which they are given.

Flattening of the metatarsal arch over the ball of the foot is also common—and painful. It afflicts women much more frequently than men, very probably owing to the greater distortion to which the average woman's foot is subjected. High heels throw the weight forward onto the ball of the foot, then the sole of the shoe, being thin and unsubstantial, bends upwards at the sides, encouraging the arch to drop, with resulting pain, calluses, and swelling. Other factors may play a part, but this is a fairly typical picture. Temporary relief is sometimes obtained by placing a small circular piece of padding under the ball of the foot or by bandaging the foot with elastic webbing or tape just back of the arch, but the only sensible treatment is sensible shoes plus appropriate systematic exercise. When temporary support as well as exercise is required, it is usually preferable to choose a shoe with a fairly rigid shank; avoidance of insubstantial, curving soles is also quite obviously desirable. If excessively high heels have been persistently worn, the addict will probably have to taper off by coming down gradually to lower levels; otherwise the shortened muscles at back of leg will protest against the sudden change to which they have not become accommodated.

Corns, calluses and bunions are commonly symptoms of poorly designed, ill-fitting shoes; they are merely the evidence of nature's effort to protect the foot from friction and pressure. External corns are layers of dead skin possessing a core, but no root. In the comforting words of a spe-

cialist (Dr. Philip Lewin), "they yield to good chiropody and well-fitting shoes." An expert can safely cut them, but this is probably too risky for home treatment, due to the possibility of infection. They are sometimes amenable to salicylic acid (caution: use with care!), the chief ingredient of ordinary corn cures and plasters. An oval pad with cut-out center is useful in relieving pressure. Soft corns, which are sometimes confused with athlete's foot, occur between the toes where two skin surfaces come together in the presence of moisture and warmth. They are caused by crowding the toes; sometimes result from a depressed metatarsal arch. The toes should be separated with some appropriate material, e.g., lambs' wool, and kept clean and dry. Like corns, callosities on other parts of the foot are the result of recurrent pressure or irritation. As already noticed, a callus under the ball of the foot is a sign of a weakened arch. The treatment begins with sensible footwear. Callus plasters sometimes assist in softening and removing the hard top layers. In the case of bunions, there is usually both a thickened epidermis and a swollen inflamed toe joint which corresponds to housemaid's knee. It is usually caused by the great toe being pushed out of position by narrow or pointed shoes. Any means of relieving the pressure will help.

Athlete's foot, or ringworm, is one of the few foot ailments in which the shoes are not presumptively to blame. It is a skin disease, an infection pure and simple and, incidentally, has nothing to do with athletics, except that it is frequently acquired by walking on moist, infected surfaces in the vicinity of shower baths and swimming pools. The causative agent is a fungus which is highly resistant and difficult to eradicate. Most popular remedies are very nearly worthless. Prophylaxis is better than

attempts to cure. Foot coverings should be worn at beaches and similar places. Dr. Bernard Fantus also recommends as a prophylactic measure bathing the feet in a 10% solution of sodium thiosulphate, or, alternatively, the use of a dusting powder consisting of 20% sodium thiosulphate (the hypo of the photographer's art) and 80% boric acid. At some gymnasiums and swimming pools bathers are required to immerse their feet in a 0.5% sodium hypochlorite solution. Curative measures, once the disease has been acquired, should be referred to a physician. Whitfield's ointment is a standard remedy, frequently prescribed, but the condition may require more energetic treatment; exfoliation of the epidermis may be necessary. Unless precautions are taken, reinfection from shoes or stockings is likely to occur.

General foot hygiene should properly begin with the selection of one's ancestors, as heredity would appear to be an important factor in causing malformation or predisposition to certain types of weakness. Again the intrauterine life, especially any unusual position of the foot, may be responsible for some cases of deformity. The adult, alas, cannot turn back the clock, but there is this moral to be drawn: children's feet should be carefully and competently inspected both at birth and at later intervals for abnormalities, which are best treated at the earliest possible age.¹ It should be borne in mind, also, that general health and foot health often have reciprocal relations. Thus focal infections, rheumatic arthritis or obesity may be factors in causing flatfoot or other trouble; on the other hand, foot ailments of any nature are

¹ Remarkable success is often attained, even in seemingly hopeless cases. An infant Byron of today probably would not have to go through life with a clubfoot. Serious deformities may require plastic surgery or other interference under anaesthetic. Sometimes a plaster cast or similar means to immobilize the foot is necessary.

a strong deterrent to normal activities and exercise, hence a potent source of bodily disorders. Most people in sedentary occupations do not walk enough; their feet hurt them, or perhaps they have never learned how to walk. Children, anyway, should be taught how to stand, how to walk (they will tend to assume a correct natural posture unless mistaught). The so-called army position of standing with toes out is incorrect; the feet should be parallel or slightly inverted, and this applies to walking as well. Walking is one of the very best forms of foot exercise; here is the prescription, "come down on the heels, tilt the weight to the outer borders of the feet, and come up on the toes with a spring." If you prefer to dance, that is good also; and so is skating.

Sufficient has been said about ill-fitting shoes. Many authorities likewise warn against tight, pointed or otherwise restricting socks and hose. Garters that impede circulation should also be avoided, if you wish to be kind to your feet and legs; they may cause varicose veins and chilblains. To avoid ingrowing toenails, trim nails straight across, not rounding.

Tired feet are greatly benefited by foot baths, night and morning, and frequent massage. There is no point in buying a special foot soap, as soap is a poor vehicle for medication; use a pure mild toilet soap. Orthopedic specialists sometimes recommend contrast baths which consist in placing the feet alternately in warm and cool water, about a minute in each for a period of ten minutes. The purpose of massage is not to rub the skin but to invigorate underlying tissues by means of a rotary movement, using the tips of the thumb and forefingers. Cold cream may be applied, if desired, or a suitable analgesic ointment. Flannel dressings, dipped in a hot solution of Epsom salts, are an old-time home rem-

edy that will often relieve pain. These measures will accomplish all that any foot balm or lotion can do.

Excessive perspiration of the feet may be a sign that medical advice is required, especially if the condition does not respond to simple treatment. Foot powders are useful, but zinc stearate or borated talcum, in fact almost any soothing powder, will serve the purpose equally well. Such a powder, plus hot foot baths, is all that is needed in mild cases. Chlorine preparations, available as chloramine or under proprietary names, if properly diluted, will act as harmless, effective deodorants. Perspiration suppressors should not be used unless the foot is free from fissures or inflamed areas, as they are likely to be irritating. The instant variety, sold for cosmetic purposes, is perhaps as good as any commercial bromodosis or hyperhidrosis lotion. These are astringents, usually containing aluminum chloride.

Literature.—There is a considerable amount both of specialist literature and commercial tracts, but comparatively few authoritative treatises for the layman. A useful, inexpensive little book is *Posture and Hygiene of the Feet* (one of the National Health Series) by Philip Lewin, M.D. of the Northwestern University Medical School (Funk and Wagnalls, 1929). Recently Capt. S. P. Fairweather, a British medico, published a monograph advocating heel-less shoes as a sovereign remedy for foot ills. For a brief discussion of arch supports see the *Journal of the American Medical Association*, 82:295 (Abraham Gottlieb, M.D.); for Athlete's Foot, consult *Treatment in General Practice* by H. Beckman, M.D. (W. B. Saunders, 1930, reprinted 1934) or *Cook County Hospital Therapy* edited by Bernard Fantus, M.D. (*Journal of the American Medical Association*).

THE LIBRARY

BY LAURENCE STALLINGS

"To Hold the Laws and Draw the Hearts of Men."

HINDENBURG, by Emil Ludwig. \$3.50.
6½ x 9¾; 576 pp. Philadelphia, Pa.: *The John C. Winston Company*.

MARLBOROUGH, HIS LIFE AND TIMES. (Vols. III & IV) by the Rt. Hon. Winston Churchill. 2 vols. \$12. 6¼ x 9¾; 364 + 296 pp. New York: *Charles Scribner's Sons*.

HINDENBURG, like most defeated captains, will take his beating from the historians, though the blows will be lightened by the plea that he was the gonfalon, not the sword, of German war-power. He will not escape deep censure, however, for his legend has not the shining quality of Hannibal's or Lee's—two losers who found themselves elevated to the Pantheon minus only the vulgar garlands of martial success. Hindenburg will also be punished by the analysts for defects of character, though he was thrust paradoxically into greatness because of his steadfastness. Lastly, Hindenburg will be censured by the philosophers for his change of front. The summation of the man's defects will include these three grave counts: that as a warlord he lost the greatest of wars; that as a monarchist he became chief executive of a republic; and lastly, that as a landed gentleman he bequeathed his patent of leadership to an evangelical artisan named Hitler.

Against these counts may be cited one glorious deed. Deserted by his monarch Wilhelm II, abandoned by his Reich, and soundly beaten by his adversary, Foch, he remained with his armies to lead them

in perfect order back into a homeland where he might reasonably expect to be assassinated. Painfully, the stern old man shepherded his flock. In the great mass of legendary deeds it is his singular shining actuality. It was the one great test lying well within his powers which was presented to him; but the history of 1914-18 shows that courage and resolution, and duty performed single-heartedly were not enough.

Herr Ludwig, who is a journalist and a hero-worshiper, will give better historians and sounder critics many avenues of approach in his new, hastily written work. Hindenburg, he says early in his book, "lacked the main ingredients for creative activity". The thing is not so clear and so fascinating as Ludwig's other best-sellers, such as his *Napoleon* and his *Goethe*, two books which added nothing to the knowledge we own about these great men, representing them in familiar lineaments with a vigorous, bracing journalism.

A definite biography of Hindenburg—the present work is a sparkling, embittered tract—would present the history of the German Reich since the great Frederick. As a cadet, Hindenburg had witnessed Bismarck's easy victory over Denmark. As a *leutnant* he had shared in the brilliant humiliation of Austria. As a representative of his regiment he had witnessed the French degradation at Versailles. The intervening years before the great conflict found him a retired major-

general with leisure to observe the extraordinary technical and commercial flowering of a great state. The world's convulsion discovered him in control from the Teutonic side. The bitter post-war adjustments revealed him as the head of the beaten state.

A fine biographer, with leisure as well as talent—with the creative force which Hindenburg lacked, and the nerve which he possessed—would want nothing better for a life work than such a subject. We do not expect such a work from Herr Ludwig.

Hindenburg's life, stripped to its essentials, is a play in three acts. Mr. Ybarra and others have referred to Hindenburg as a man "with three lives", but even a cursory examination will find the same character in each of the three acts. This, I think, is the chief value of Herr Ludwig's book—that he gives the character of Hindenburg a dramatic continuity. The first act compresses the man's years into a swift résumé of the ordinary career of a conscientious officer born to the military cast. In any army this performance can be duplicated by the average retired major-general on the army list. In Hindenburg's case, the locale will be the provincial city of Hanover, and the trappings will be the usual furniture of wealthy squires—relatives, guns and dogs.

The second act opens with excitement. This retired officer is upon a station platform bound for the Russian front. Chosen because of his phlegm to preside over the strategical genius of a distraught and mordant sharper named Ludendorff, he will presently be a living legend. There are minor characters such as the Colonel Hoffman who actually found the point at which to deliver the decisive stroke of Tannenberg—but these do not matter as much as Herr Ludwig believes. The second act

proceeds, as in all fine plays, with considerable shifting of the elements within the protagonist's character. No more are we watching the retired officer of the genre supplied by Lessing in *Minna von Barnhelm*. Not Molière, but a greater dramatist, Freud, takes the play. The man is now a god, and must live as one, and of necessity must somehow contrive to believe in the beautiful falsehoods about himself. There is a great curtain to this second act. It is that long march home with three million men—half-fed men returned to a nation of starved women and children, with a god himself leading them. It actually matters little, in the drama of history, whether Ludendorff was the cerebrum of the god's brain, now that history has closed Hindenburg's life. Such things can easily be proven. It is the legend now, more real and more effective than actuality, with which we have to deal. Herr Ludwig's shortcoming in the work is his failure to address the audience; he gives Hindenburg a free course in psychoanalysis, posthumously.

The third act of Hindenburg's life cannot yet be written. An attempt can be made to sketch it in, but there will be an epilogue lacking. One can say that he became the head of the German republic, though he still owned to the woodchopper of Holland as his liege. One can find that he denied his class and his army when he gave over his powers to Hitler. It will only be a conjecture; for however horrible may be the truth, the returns are not yet in—on the final settlement of the legendary Hindenburg's Europe, the god-like Hindenburg's Germany. We may yet wait a century or so for the epilogue to Act III of the drama, Paul von Beneckendorff und von Hindenburg, *Feldmarschall und Gott*.

If Herr Ludwig answers to all the qualifications of a journalist, then I think that

Winston Churchill can as definitely be called a historian. Those who know his three volumes on events in which Hindenburg, the generalissimo, is taken in stride, need no reminder of the man's talents as a writer and as an analyst of historical motives.

The second pair of his six volumes upon Marlborough present the perfect delineation of a military campaign. True enough, the blood of John Churchill stirs the historian, for his own is of it; yet one considers the insufferable pride of others who have written of their forefathers and marvels the more at the painstaking work of Churchill. The present volumes are primed and pointed for the battle of Blenheim, although there is no rush to this field where Marlborough and the House of Savoy risked a decision of arms against French domination of the world. Reading the work after Ludwig's, it seemed fair enough that Marlborough should wait a century or so for his complete biography, for the full portrait against the exact background.

In Marlborough's day there was no need for dramatizing a conqueror as a god. Such fashions went out with Charlemagne, though one Louis who beat back the Saracens did reach a sainthood; but the English, who have fought most of their wars on foreign soil, have never given a conqueror a divine right. Marlborough served three sovereigns, and indeed was the greatest servant in history who remained a servant, says Churchill. His little army was a professional affair, with no huddling of myriad clerks incited to clumsy murder by the arts of propaganda.

The first brace of Churchill's volumes on Marlborough, if the reader persevered, has well equipped him with an understanding of the two factions which have ever torn, and always will tear, at the roots

of democracy. It is one of the most fetching things about Marlborough that he wished both Whigs and Tories the worst of luck, and would have none of them. He, too, was a monarchist; but for him his Queen Anne was a convenient receptacle for devotion to his country, as his patriotism was a magnificent springboard into private wealth. The second two—the current volumes—show Marlborough actually creating his vast fortunes by brilliance upon the field of arms.

A great deal of twaddle has been written about the follies of personal ambition among the servants of a state. No man ever had more than Marlborough, or had it more serenely under practical control. He was the true soldier; that is, he went to war to heat his blood, prove his heart, and grab (within the code of military conduct) whatever loot might be lying about. Oddly enough he remained reasonably true to his magnificent wife—a trait almost incredible among soldiers—though his early career, so masterfully charted by Churchill, found him first gaining attention by unstinted application to those masculine arts which young soldiers practice far better than do matinee idols and gigolos. Reading of Marlborough's great career in Winston Churchill's book, it strikes one more forcibly than ever that the great Duke's luckiest star was not the magnificent Sarah, his wife, but his sovereign—any sovereign. Had Napoleon Bonaparte possessed a fundamental rock on which to build his ambition—instead of finding himself the consul of a state constituted principally of soap-box orators—assuredly we should all now be owing to French as our native language. Instead, this serene John Churchill—with his brains, his guts, his greed and integrity—at Blenheim threw forty thousand red-coats for his Queen against the King of France, thereby

doing his share toward making us all learn Chaucer in our youth, instead of the *Chanson de Rolande*, from which I have quoted at the head of this review.

The two volumes (despite their pains-taking asides as to home politics amid the welter of princelings booted about in the Wars of the Spanish Succession) are concerned mainly with this battle of Blenheim. Churchill, the biographer, has followed the path of Churchill, the Duke, in his march from Holland to the Danube. He finds many of the battle sites still recognizable in detail to the historian making such a walking tour, for it is one of the facets of Marlborough's genius that his maneuvers despite their tactical brilliancies, are easily understood by the lay reader; though not Lord Acton or Fortesque, nor Saint-Simon, has ever explained clearly — to my mind — the parts played by Marlborough and Prince Eugène in his extraordinary campaign.

It was a campaign which set the seal upon English manners abroad for the ensuing centuries. This band of red-coats with their invincible general, having defeated the cream of the French infantry, gave a whole century of English tradesmen its mocking attitude towards continental grace. It still persists: the forty thousand who penned the French into Blenheim bequeathed an old army custom even to men flung back into Europe from the Pacific coast two hundred years afterwards. It is the chief grace of the present work that their trail was easily led, is easily followed. Maps adorn almost every page, well-marked and sighted. One reads on without recourse to perseverance, which is usually forced to the limit when following in detail a military history.

Marlborough's character has always been under cloudy skies. His early years as a soldier are marked by the most reprehensible ways — to our present thinking — of gaining money. His ambition was intolerable.

He made fortunes out of his patriotism with the ease of a profiteer. He vulgarized his honors into a towering, dreadful pile of castellated masonry. He was capable of sacrificing men into the most grievous of shambles. He despised, for his own great political temperament, many great men because they had less. And yet he stands the supreme soldier among English blood in history. Curiously enough, he was nothing which Herr Ludwig would have Hindenburg to have been.

Winston Churchill has given us Marlborough surely as he was. One can be sure that the last brace of volumes, which will complete the six, will find the Duke filling them all with ease. Despite everything which may be said against him, he was a combination of all the traits which inspire reverence in the English. And these traits rarely make for deification, though they were not unknown to practice upon Olympus.



When the Half-Gods Go . . .

CLAUDIUS THE GOD, by Robert Graves.
\$3.00. 5 $\frac{3}{8}$ x 8 $\frac{3}{8}$; 583 pp. New York: Harrison Smith & Robert Haas.

AFTER Rome became a world state, with city men dependent upon maritime commerce for their daily bread, the efficiency of the Roman policy recognized the advantages of setting-up a living, gingerbread godhead. Certainly Julius Caesar, striding about in the red boots of an Etruscan king and wearing the mountain laurel, considered the move before the brokers knifed him in the back. Augustus, his heir, lost no time in becoming a divinity to shape the ends of the earth, and his subsequent heirs and assigns became one by one the great I Am.

Robert Graves last year perpetrated a learned joke on this subject, in a fictitious

autobiography of the Emperor-to-be Claudius. The work began with the earliest memories of a Roman prince who, because he was lame and stuttering, escaped the poisonous ministrations of the Matron Julia and of the Emperor Tiberius, even surviving the hardy reign of Caligula. The autobiography ended with the sudden assumption of the purple by Claudius, who was crowned by the Household Guards the night that Caligula was killed at a ballet. The jest was pure anarchy, and as such was ignored by scholars who resist — the Latinists most obstinately — any attempt to put life into Roman history. (Having succeeded, by their own mustiness, in driving such a delightful subject as the Latin language from our schools, Latinists with great hauteur ignored Graves' work and devoted much attention last year to a regulation, dusty volume on the Claudian line.)

Graves now completes his jest — though the cream of it was in the first volume — by following Claudius through his tenure of the Imperium. Much of the second volume is less apt than the first, half of it being a *tour de force* in which Herod Agrippa confides his opinion of the first Zionist movement — the Coming of Christ — to his friend Claudius. It is matter dragged in, and would have fared better in a separate book. Graves tries to repair the continuity of his work upon Claudius, however, and reaches the mark set by the first work only when he gives account of the emperor's British campaign. But the joke has been labored past enjoyment before a footnote explains that Nero has put his divine uncle on the spot.

The gangster lives of the Caesars were never better drawn than in Graves' work. Scholars have always shied at the tales of Suetonius and Dio Cassius, at heart preferring to follow the elegant tone set by Plutarch, as they steadfastly persist in proving that Plutarch is a tissue of lies. Graves

is an anarchist among sentimental iconoclasts, choosing for his delineation of Roman civilization a figure who was the antithesis of the average Roman. From the inevitably warped viewpoint of a physical defective in a world of gymnasts he satirizes the Roman virtues.

The enjoyable parts of the second volume concern Claudius' lack of concern with his godhead, which is best illustrated by the jesters following his triumphant car after the return from Gaul. It is remarkable that none of the present dictator-gods has followed the Roman custom of permitting the grossest sort of buffoonery to temper the lavishness of certain ceremonies. The Roman, practical to the last, when in Rome was careful enough to provide a safety valve amidst pomp and circumstance. Even Graves must desist from quoting some of the distiches which were hurled at a triumphal car, though I recall that old Holland in his interlinear translations gave them word for word. Graves succeeds, as no one else has, I think, in demonstrating that Roman deification of *Führer* was nothing like the serious matter that it is today in the several countries ruled by them. The man in the street regarded that astounding honor with the complacency with which he accepted Caligula's proclamation making his warhorse a consul, or as a citizen of Baton Rouge would accept Huey Long's ukase making a plough mule the junior senator in the United States Senate for Louisiana.



International Log-Rolling

MEN OF TURMOIL. By Various Hands. \$3.75. 6½ x 9½; 376 pp. New York: *Min-ton, Balch & Company*.

THE editor of *Men of Turmoil* prefers to hide his splendid complaisance under the mask of anonymity, but his idea

makes a capital book, and one which will put a great amount of nonsense into the heads of those who read works which popularize various subjects — if there is room in such heads for any more drug-store literature. The editor has hit upon the idea of selecting almost anyone worthy of a front page dispatch and inviting his warmest admirer to supply a monograph on the subject. As a result, we find Comrade Stalin rubbing elbows with Pius XI, each duly hymned by a priest of the respective faiths, communist and Roman Catholic. We also discover sweet things in store for Albert Einstein on one hand, and Adolf Hitler on the other.

The book becomes a veritable lark. Only occasionally is there unfair play, as when Henry Ford is assigned to the ivy-covered communist, Oxford's G. D. H. Cole. It is the singular instance of judicial survey in the work, and it is a damned unfair one at that. The list of magnificoes is long, each turmoiler seeming to have hand-picked his own panegyrist. I, for one, would have relished the letters appointing them, more than the fruits of the assignments. The editor remains anonymous; so there can be no calling him to account for his selection of Sibelius as a man of turmoil, unless it so happens that the art of musical composition has a high mortality among the Finns. Then, too, I doubt that Picasso rates a niche beside Dr. Freud; however, this is no mere bourgeois distaste for the arts, but a disturbed sense of perspective.

The book has its good moments, as when the level-headed man must confess to his reasons for admiring his exemplar. Thus we find Ralph Fox, a young English communist who has written the soberest of small biographies of Lenin, ascribing to

Stalin an equal magnitude—for he has drawn Stalin, and must make the best of it. Ward Price, too, has hard going with Hitler, for the purge of June, 1934, left the Moseleyites far from certain that a swastika would someday be painted on the chimneys of Downing Street. There are some sturdy estimates, even though one does not necessarily agree with them. Ernest Lindley, who writes able dispatches from Washington to the newspaper of his patron, Ogden Reid of the New York *Herald Tribune*, quite honestly tells us of his admiration for Franklin D. Roosevelt. The piece on Dr. Freud, by J. L. Gray, is worth a spot in a book of reference. So too is Harold Laski's monograph on Trotsky. William Plomer's brief paper on Jan Smuts has a ring of hard fact about it. What engendered J. G. Crowther's hymn to the Aga Khan is another matter, unless the lavish editor has a feeling for horseflesh and high hats. André Maurois' now familiar tribute to Marshal Lyautey is included in this book of prefaces. J. W. N. Sullivan — his beautiful style has been neglected in the profusion of admiration visited upon Sir James Jeans — writes a fine article for Albert Einstein.

Again, one wonders why Cole got poor Henry Ford? It is unfair, in such an excessively friendly book, to turn over a great industrialist to a gentleman who practices a stately communism beneath the mantling walls of Oxford-town. Better have given Cole the subject of Lawrence of Arabia, and turned over our Duke of Dearborn to Liddell Hart, who has written enough about Lawrence anyway. Ford, after all, is also a master of guerilla warfare, on a world scale, and would have been fashioned, so it would seem, to Captain Hart's hand.

CHECK LIST of NEW BOOKS

BIOGRAPHY

OMAR KHAYYAM.

By *Harold Lamb*. Doubleday Doran & Company
\$3.00 5¼ x 8; 316 pp. Garden City, Long Island

History says little about Omar Khayyam. That he was probably court astrologer in Malikshah's reign; that he wrote most of the quatrains popularly ascribed to him; his work upon algebra, his commentary on Euclid, his research into mathematics and astronomy, his creation of a new calendar; his quarrel with Ghazali, head of the powerful academy of Islam; his grave at Nisapur; that he was past his boyhood in 1073, and died around 1135; this is all we know. With these bare facts and others gleaned from a painstaking study of contemporary writings and traditions, together with deductions of his own imagination, Mr. Lamb has woven a brilliant tapestry which recreates in gorgeous colors the Persia of the Eleventh Century and the life of Omar ibn Khayyam. Altogether biography and history of a high order.

THE UNSINKABLE MRS. JAY.

By *Lewis Graham & Edwin Olmstead*. Covici, Friede
\$2.50 5¾ x 8½; 308 pp. New York

This partly fictitious and partly biographical account of the adventurous career of Mrs. J. J. Brown, one of Colorado's most colorful figures of the past three decades, turns out to be a surprisingly good piece of light entertainment. Born on the Mississippi mudflats, she marries a bonanza king with the help of whose millions she rises from the depths of illiteracy to the heights of social prominence: a mere "pot-wrangler" back in her early days, Molly Jay lives to become a Knight of the Legion of Honor. The reader last sees her on the stage in Paris, amusing herself by playing the rôle in "L'Aiglon" made famous by Bernhardt. She acquires her unusual sobriquet following her survival of the *Titanic* disaster when reporters inquire if she will not in the future be afraid to travel by water. "Hell, no," she replies. "I'm unsinkable."

AMERICA AND ALFRED STIEGLITZ.

By *Various Hands*. Doubleday, Doran & Company
\$3.50 6½ x 9; 339 pp. New York

This bombastic title appears over a collective portrait of the well-known photographer. According to the editors, the book "portrays the symbolic share of Stieglitz as the leader of a communal creative movement within the march of modern thought and the central preoccupation of our era; the creating of a new civilization, a new culture, a new world." The contributors, twenty-five of them, are known in literary and artistic fields. William Carlos Williams writes a descriptive piece entitled, "The American Background." Lewis Mumford's piece, "The Metropolitan Milieu," is one of his finest. But "Lighthouses and Fog," by Charles Demuth, out-Gertrudes Stein, who also has a place on the table of contents. There are 120 illustrations by fifty artists, presumably nurtured or brought out by Stieglitz. They include Steichen, Clarence H. White, Marin, O'Keefe, Henri Rousseau, Toulouse-Lautrec, Auguste Rodin, Matisse, Picasso, and Cézanne. There are a bibliography, a chronology, and an index.

THE WILFRID WARDS AND THE TRANSITION.

Volume 1. *The Nineteenth Century*.
By *Maisie Ward*. Sheed & Ward
\$3.75 5½ x 8¾; 428 pp. New York

Wilfrid Ward and his wife were among the more prominent Catholic lay people of England. They grew up during the stormy days of the Oxford Movement and in their adult lives took important parts in the struggles of the Church in England, becoming intimately acquainted with such figures as Cardinals Newman and Manning, Tennyson, Huxley, Gladstone and Baron von Hügel. In this volume their daughter writes of their lives and of English Catholicism about 1890, reprinting large sections of her father's "Reminiscences and Narrative," which he was writing when he died. There is an index.

THE AMAZING MADAME JUMEL.

By William Carey Duncan.

Frederick A. Stokes Company
\$3 5¼ x 8½; 321 pp. New York

Madame Jumel's extraordinary life has long been considered fertile material for an experienced biographer to pounce upon. Unfortunately, Mr. Duncan — whose literary efforts heretofore have been confined to the writing of librettos for musical comedies — was not the man logically suited to do the pouncing. But his book, weighted as it is with innumerable colloquialisms, wise-cracks, and hackneyed phraseology, never actually becomes unreadable for the simple reason that the subject stubbornly refuses to be dull. It is the story of a young harlot, the illegitimate daughter of a sailor's sweetheart, who becomes first the mistress of one of the wealthiest merchants in New York, later the idol of Parisian society, and finally — after filching the Jumel fortune — the wife of Aaron Burr. Selfish, ambitious, gay, beautiful, generous, and picturesque to the finish, Madame Jumel is certainly one of the most outstanding specimens of self-made womanhood that this country has ever exhibited. The book contains an appendix and a bibliography.

THE AUTOBIOGRAPHY OF MONTAIGNE.

Edited by Marvin Lowenthal.

Houghton Mifflin Company
\$3.50 5¼ x 8½; 394 pp. Boston

Believing that Montaigne has as much to say to the world today as anyone above or below ground, yet realizing that it would be folly and impertinence to write the life of a man who had spent his genius writing it himself, Mr. Lowenthal has contented himself with piecing together, with the help of scissors and paste, all of the more significant autobiographical passages which are to be found in the *Essays*, the *Journal*, and the *Letters*. The result is a continuous narrative, shorn of all unnecessary digressions, quotations, and literary allusions, of which Montaigne was so exasperatingly fond: in short, a clear-cut portrait of one of the greatest minds of all ages. Montaigne's views on education, religion, love, friendship, and marriage; his self-confessed humors and prejudices; his inmost philosophy of life — all are to be found carefully recorded on the pages of this one treasurable volume. To Mr. Lowenthal, lovers of Montaigne should be exceedingly grateful.

EARTH CONQUERORS. *The Lives and Achievements of the Great Explorers.*

By J. Leslie Mitchell.

Simon & Schuster
\$50 6 x 9¼; 370 pp. New York

Mr. Mitchell's biographical studies of nine explorers, from the year 1000 A.D. to the Twentieth Century, include Lief Ericsson, Marco Polo, Columbus, Cabeza de Vaca, Magellan, Vitus Bering, Mungo Park, Richard Burton, and Fridtjof Nansen. All of these men, he says, sought not merely fame or gold or adventure or new trade routes, but rather an escape of some sort to what he calls the "Fortunate Isles" and the "Unknown Land." None of them ever found this land which they consciously or unconsciously searched for, and their lives are therefore "in a fashion tragic epics." The sketches themselves are very readable. There are a number of illustrations and maps, and an index.

AMERICAN SECRET SERVICE AGENT.

By Don Wilkie. The Frederick A. Stokes Company
\$2.75 5½ x 8½; 309 pp. New York

Born in an atmosphere of criminal investigation, the son of John E. Wilkie, who for thirteen years was the Chief of the U. S. Secret Service, the author of this book has plenty of interesting disclosures to make in connection with his own thrilling experiences in the Service. There are stories of smuggling, white slavery, dope peddling, and espionage — many of the details of which have been culled from the confidential files of his father as well as from his own case-books — and at the end of the book there is a chapter devoted entirely to the subject of gangland's notorious activities in Chicago.

PIONEER PADRE. *The Life and Times of Eusabio Francisco Kino.*

By Rufus Kay Willys.

Southwest Press
\$3 5¼ x 9; 230 pp. Dallas, Texas

Dr. Willys has written a good, substantial account of one of the outstanding Spanish missionaries of the Seventeenth Century, Eusabio Francisco Kino, whose field of operations was Mexico and the Southwest. Whatever may be one's feelings about missionaries today there was much to be admired in these roving friars at a time when "the missionary was in a sense a government-paid emissary of good will to the natives — a combination of explorer, Indian agent, preacher and empire-builder." Dr. Willys has dug up some excellent material.

MILITARY

DEMOCRACY AND MILITARY POWER.

By Silas Bent McKinley. *The Vanguard Press*
\$3 5½ x 8½; 313 pp. New York

In this interesting, clearly written and original study Professor McKinley attempts to show that the citizen-infantry, more than any other part of a nation's fighting forces, has always represented the popular will, and that whenever it has triumphed democracy or democratic trends in government has resulted. Stating that more popular forms of government have had to be won by violence from a ruling class, he traces the history of past governments from the city-states of Greece to the present day and shows that this has been accomplished only when the infantry, recruited from the populace at large, formed the nucleus and indispensable strength of the military forces. With the World War, however, came new military developments — airplanes, gas, tanks — which made the infantry of secondary importance, thus threatening democratic government and paving the way for the many dictators which we now have. For today scientific advances in warfare make it possible to seize military power without the support of the soldiers on foot. The author's arguments are generally sound and convincing, but, as Charles A. Beard points out in his excellent introduction, a criticism which might be made of it is that "he has given too little attention to the rôle of ideas in the processes of history, despite the pomp and plenitude of physical power." There is no index.

THE BACKWASH OF WAR.

By Ellen M. La Motte. *G. P. Putnam's Sons*
\$2 4¼ x 7½; 204 pp. New York

When Miss La Motte was in a French field hospital in Belgium during 1915 and 1916 she wrote these sketches of the goings-on inside the hospital wards. Her book, first published in 1916, was barred in France and England, and after going through several printings in this country, it disgusted Uncle Sam, too, who suppressed it in 1918. The author says it was "considered damaging to the morale." For these hospital pictures — their truth is vouched for — are ugly and terrifying, most of them being descriptions of suffering and death from gas gangrene and other horrors. They were anything but pleasant and seductive reading for a people at war. Some of the sketches will leave you dumb with consternation.

THE GHOST OF NAPOLEON.

By Liddell Hart. *The Yale University Press*
\$2.50 5¼ x 8¼; 199 pp. New Haven

The purpose of this little book is to show the true historical importance of those who have molded the minds of the men whose actions have molded history in the past. It is a record of the gradual development of military science from the days of Marshal Saxe, pioneer of the Napoleonic strategy, down through the days of Bourcet, Guibert, Jomini, and Clausewitz. Most of the wars of Europe since the Eighteenth Century, according to Captain Hart, have been fought by tactics developed in theory by these men. At the end of the book the author devotes some space to his ideas on the importance of more adequate military schooling in the colleges. There is an index.

REPRINTS

CANTERBURY TALES.

By Geoffrey Chaucer. *Rendered Into Modern English*
by J. U. Nicolson. *Covici, Friede*
\$3.75 6 x 9¼; 627 pp. New York

This is perhaps the best Chaucer in modern English that we have. In fact, as Professor Gerould of Princeton points out in his introduction, "Mr. Nicolson apologizes, but quite unnecessarily, for the rendering he has made. His work has the merit of faithfulness; he has added less and subtracted less than most of his predecessors, having chosen wisely to translate instead of paraphrasing. What Chaucer said is here, even if not quite as he put it." The volume is handsomely bound and printed, and there are many illustrations by Rockwell Kent.

THE WORKS OF WILLIAM SHAKESPEARE.

The Oxford University Press
\$3 6½ x 10; 1263 pp. New York

This new one-volume edition of Shakespeare's complete works differs from most earlier ones chiefly in the arrangement of the plays. The usual method has been to arrange separately the comedies, histories, and tragedies, but here they appear chronologically, in order that the reader might be able to approach them, "not as a static monument of achievement, but as a vital and growing organism revealing the evolution of the poet's personality and genius." The volume is handsomely bound and is printed in clear type. The glossary was prepared by Malcolm Dougherty.

THIRTY FABLES IN SLANG.

By George Ade.

The Arrow Editions

\$3.50

6¼ x 8¼; 210 pp.

New York

These fables are selected from Mr. Ade's early volumes, and some of them go back to 1899. They hold up very well. It is obvious enough, re-reading them, that they belong to the pre-automobile age, but nevertheless they are still pungent, and not a few of them promise to last for a long time to come. Certainly such things as *The Two Mandolin Players*, *The Visitor Who Got a Lot For Three Dollars* and *The Honest Money-Maker* and the *Partner of His Joys* are not to be set down as transient newspaper jocosity. They rank, in fact, with the best humor ever produced in this country. The present volume is beautifully printed and bound, and there are some excellent illustrations by Peggy Bacon.

PHILOSOPHERS SPEAK FOR THEMSELVES.

By T. V. Smith.

The University of Chicago Press

\$4.50

6½ x 9¼; 800 pp.

Chicago

This work, which Professor Smith subtitled "Guides and Readings for Greek, Roman, and Early Christian Philosophy," forms an excellent one-volume anthology of original philosophic writings from Thales to Augustine. The brief introductions to the different chapters, and the biographical, translators' and editor's notes make it easy to use even for beginners who have "been graduated from the story-of-philosophy stage." There is a bibliography, but, unfortunately, an index is lacking.

TRAVEL

FIRE ON THE ANDES.

By Carleton Beals.

The J. B. Lippincott Company

\$3

5¾ x 8¾; 482 pp.

Philadelphia

Mr. Beals, who is known for his illuminating books on Mexico, now tells the story of Peru — the country where flourished one of the oldest and greatest civilizations in the world. The whole history is here, and it is presented in a thrilling narrative of considerable depth and understanding. During his stay in Peru, the author crossed the Andes three times and lived both in the primitive regions and in the more populated cities. His book abounds in vivid descriptions of peasants, landowners, bandits, artists, politicians, and revolutionists. And there are separate chapters devoted to an examination of the social, political, and economic life of the country. A bibliography and an index are appended.

DESERT WIFE.

By Hilda Faunce.

Little, Brown & Company

\$3

5½ x 8¼; 305 pp.

Boston

Setting out from Oregon in a wagon, Mrs. Faunce and her husband follow the Old Oregon Trail to Salt Lake City and then proceed to a trading post on the Arizona desert where they establish their home among the Navajo Indians. Although her husband is a seasoned veteran of the desert, Mrs. Faunce herself is new to the primitive conditions she finds there, and her book is an interesting record of her first impressions and later experiences. For four years she remains at the trading post, studying the customs and characteristics of the Navajos, and finally winning their confidence and respect. The book is valuable not only as entertaining reading but also as a dependable guide to the tribal manners of an ancient Indian civilization.

CAPE FAREWELL.

By Harry Martinson.

G. P. Putnam's Sons

\$2.50

5½ x 8¼; 215 pp.

New York

The interest in this book of travel pictures lies almost as much in its highly imaginative prose as in its vividly colored realism. The author is a Swede of considerable literary ability who has served for a good many years as a ship's fireman. His descriptions of life at sea, of cyclones, of scenery around Swedish lakes, of Indian landscapes and Brazilian landscapes, are rendered with the touch of a true artist.

THE INVISIBLE INFLUENCE.

By Alexander Cannon.

E. P. Dutton & Company

\$1.50

5¼ x 7½; 168 pp.

New York

This book is a rather involved description of a trip through India and Tibet with detailed accounts of long conversations with various mystics in these countries. It reads like a religious tract with frequent references to *Destiny*, the *Soul*, and the *Invisible Influence*, all in capitals. The author wants us to believe that Eastern Adepts live to the age of 900 years, that it is possible to see the inner organs of people (a sort of x-ray eye), and so on and on. He relates an experience in Tibet where he came to an angry river fifty feet wide, that could not be crossed in a boat. He then proceeded to make himself lighter than air, by certain breathing manipulations, and thus transported himself safely through the air to the other side of the river. The book should have been illustrated by Ripley: it would sell better.

MISCELLANEOUS

IN THE DARK BACKWARD.

By Henry W. Nevinson. *Harcourt, Brace & Company*
\$2.50 5½ x 8¼; 282 pp. New York

Mr. Nevinson is one of those enviable rarities: the man who has been everywhere, read everything, and knows how to put words together on paper. From boyhood, he says, it has been his intellectual privilege to live in two ages at the same time: the past and the present. This book is in part the fruit of that privilege. In the Syrian desert beside the Euphrates, he sees the King of Babylon return from the wilderness. Again, while journeying through Jerusalem, he sees the Roman soldiers, assisted by a group of Jews, leading Christ to Calvary. Or, while walking in Aldersgate, he meets Milton and accompanies him to his home. Altogether there are seventeen of such chapters in which present events merge with events of the past. Perhaps the most interesting is the one in which the author revisits the sites of the World War and witnesses scenes which he himself lived through at the time of the conflict. A delightful book. It has an index.

I SPEAK FOR THE SILENT.

By Vladimir V. Tchernavin.
Hale, Cushman & Flint
\$2.50 5½ x 8; 368 pp. Boston

Vladimir Tchernavin was employed by the Soviets to assist in the development of the fishing industry. Like many another distinguished scientist, when the failure of certain branches of the Five Year Plan became evident to the Russian government, he was shouldered with the blame and shipped off to prison. Forty-eight officials and specialists in the food industry had already been slaughtered by the politicians, eager to punish others for their own incredible blundering: Tchernavin was to be the forty-ninth. The book records the story of his sudden arrest, the brutalities of the GPU, the insanitary prison conditions, the mediaeval methods of torture, the sacrifice of the intellectuals, and the disruption of the entire fishing industry by the Com-mies; it closes with the dramatic escape into Finland — so excitingly and vividly described by the author's wife in *Escape from the Soviets*. A straightforward, unsentimental history of political oppression. There are maps and illustrations.

I COMMIT TO THE FLAMES.

By Ivor Brown. *Harper & Brothers*
\$2 5¼ x 7¾; 240 pp. New York

A conservative iconoclast, equipped with bludgeons of wit and invective, Mr. Brown attempts to destroy a few of the current menaces to the welfare of science and art, and at the same time to show that what is wrong with us today is a tame surrender to last-minute reputations. Although he frequently weakens his own arguments by over-statement, his book affords the reader an amusing and curiously detached view of the modern scene with its apostles of unintelligible poetry, its Lawrentian sentimentalists, its Youth Movements, and its Blood-and-Guts literature. The author makes it plain throughout that he is no Puritan; he is anything but a mouth-piece for Mother Church. But he is a man who has held fast to his sense of values and who sees in the present-day flight from reason little more than a foolish scamper to the hooligan's heaven.

SPIDER WOMAN.

By Gladys A. Reichard. *The Macmillan Company*
\$3.50 6 x 8¾; 287 pp. New York

This is a story of Navajo weaving, relating the way in which an Eastern white woman acquired a knowledge of this fascinating but extremely complicated art. It is also an informative study of Navajo manners and customs, Dr. Reichard having long been interested in the American Indians from a purely ethnological, and therefore unsentimental, point of view. Her style is distinctly literary, and her portraits of individual Navajos are clearly defined.

THE SECRET WAR.

By Frank C. Hanighen. *The John Day Company*
\$2.75 5½ x 8½; 316 pp. New York

This is a popular account of the struggle for oil which has been raging for years among the Deterdings, the Rockefellers, the Sinclairs, the Teagles and others. Mr. Hanighen's story of the most incredible power of these interests, their buying up of kings, emperors, prime ministers and other officials of governments everywhere, the extremes to which they have gone and are still ready to go, is dramatically told — possibly a bit too much so. There is not much really new information, but Mr. Hanighen presents a fairly good summary of the known facts.

AN OPEN FORUM

[Informative, argumentative, or amusing letters from readers, on any subject, in any manner, will be welcomed to these pages.]

THE LAW *vs.* THE PRESS

Sir:

I deem Newman Levy's "Justice Goes Tabloid" to be a splendid article. . . . In so far as Mr. Levy treats of the methods pursued in the trial, and particularly those pursued by the newspapers, I approve of his every utterance. I recently had occasion to review a "Discussion of proposed criminal law enforcement reforms and tentative recommendations" prepared for the American Bar Association. The article is to be found in the March, 1935, edition of the *University of Pennsylvania Law Review and American Law Register*, commencing at page 696. On page 704, item XVII—"Trial by Newspaper: Power to Punish for Contempt"—I wrote:

"The power to punish should be given to every court and its exercise should be vigorous in every instance until this jeopardy to fair trial is removed. The fact is that the newspapers in this country do not want a defendant tried. The newspapers claim the right to determine the case without a trial. They do, to their own satisfaction, determine every case that attracts publicity. In many instances they formulate, and in many they try to form, the opinion of the jury. And if perchance the jury does not pronounce the verdict that they have insisted on, they shriek their abuse at the jurors."

I cited an instance where a newspaper published an opening address by a district attorney and the newspaper made comments on the behavior of the defendant while the district attorney was delivering this address, when in truth and in fact the address had not been delivered at

all at the time of the publication; and continued:

"These same newspapers scream every day their denunciation upon New York lawyers and their commendations of practitioners in London, the former for being so prolix, the latter for being so brief in procuring a jury. Indeed, recently an article appeared in which English judges were quoted as saying that challenges are most rare. These same papers might investigate what English judges do to any newspaper editor or publisher who dares to comment upon the effect of evidence already given before a verdict is pronounced, let alone commenting upon the obvious effect of a speech upon the jury when no such speech had been delivered. No English judge would have said it should not have happened, but what can one do? The newspaper publisher and editor responsible would have been before the judge on the following morning and would have been in jail that same afternoon. That is why the power to punish for contempt should be given.

"Trial by newspaper must be abolished."

Up to that time, the things to which Mr. Levy calls attention had not yet occurred. They are even more aggravating than such as those to which I referred. But publication in a law review or any one magazine will never remedy the evil.

What method, short of a radio campaign, would, I cannot at this time suggest, but legislation on the subject should be had. Without it, justice in our courts may do worse than go tabloid.

MAX D. STEUER

New York

AT LAST—A SOLUTION

Sir:

Has anyone ever suggested the complete evacuation of South Dakota? It is generally admitted that the state is totally unfit for human habitation; why keep on trying to live there—especially now that Jehovah has unmistakably signified his disapproval by sending *The Great Drought*? Obviously, the state should be abandoned, the population shifted to inhabitable territory or exterminated—whichever is cheaper; and the land turned into a shooting preserve for the sportsmen of neighboring states. Given time, the game wardens should be able to propagate sage hens and prairie dogs there. The shooting might eventually become pretty fair.

JAMES K. PETIRE

Chicago

SEX IN CARTOONS

Sir:

It seems unlikely to a practicing cartoonist that the devices he invents and appropriates ever influence people's thoughts or actions. When he draws the worn and repetitious symbols of War, Peace, Uncle Sam, The Law, Britannia, Marianne, The Hairy Bolshevik, Wall Street, the G.O.P. Elephant, the Democratic Donkey or the Tammany Tiger, it is with a sense of weariness and frustration engendered by the feeling that these hackneyed puppets have lost all power of appeal to either the sympathies or indignations of those to whom he addresses himself. Yet one forgets that a new generation moves forever forward whose sensibilities are clean slates upon which can be written messages lost through repetition upon those whose receptiveness has been dulled by a too long diet of the starchy, cold-boiled-potato symbolism of the political cartoon.

How surprising, then, to come onto the confession in H. G. Wells' *Experiment In Autobiography* that his first intimation of sex was aroused by the cartoons in *Punch* of the classical figures of Erin, Britannia, Columbia and La France drawn by that blameless and conventionally-minded illustrator of *Alice In Wonderland*, Sir John Tenniel. Here, as a child, he became conscious for the first time that underneath the voluminous skirts and petticoats, the ornate basques and the neck-covering chignon of the Victorian era lay a human body different from his own, and lovely.

An artist less likely to stimulate erotic thought could hardly be conceived; for in the quasi-sculpturesque fashion in which Sir John drew his puppets with their hard, angular outlines and gestures, their utter detachment from any human warmth, lay little to arouse the more human instincts in the most susceptible of the Great Widow's subjects. Yet they did in the case of little Bertie Wells as he lay with a broken leg thumbing the pages of *Punch* in that miserable little Atlas House in Bromley where the frustrated family dragged out a bankrupt and unhappy living.

ROLLIN KIRBY

New York

REVOLT IN THE IODINE BELT

Sir:

The following letter from leading students of the University of South Carolina has been delivered to the legislature of South Carolina. We know your fearless record for exposing the truth. . . . We trust that you will see fit to use this information in any way that you see fit to cause an improvement in the disgracefully low educational standards of this state. The letter:

Speaker of the House of Representatives
The State Capitol
Columbia, S. C.

Dear Sir:

This is to inform you and the House of Representatives that a group of students that are leaders on the campus of the University of South Carolina have formed a secret council to give out information to the public of the deplorable conditions that exist at the University. We have been hoping that conditions would improve, but we feel that under the present leadership of the University they will not improve. . . . We are being faced with the problem of graduating from the University of South Carolina and our credits being turned down for graduate work at recognized universities. Why? Our classes are overcrowded. We do not have enough professors. They cannot give us proper instruction. . . .

We have to face day in and day out disgruntled professors. As it looks from the present appropriation it will be year in and year out. We do not blame them. They are good men and have put up with more than we would have; certainly more than any business man would have stood.

. . . Overworked and underpaid, sixty hours a week or what have you. The lowest paid professors in any state university in America. Gentlemen, you expect to have a professor for this state on a Northern janitor's salary. . . . A Communistic system or Socialistic system of government would give faculty members a good living. Are you forcing our teachers to believe in such a system in self-defence?

If one individual can garner in enough to build a great university like Duke the legislature with its taxing power certainly can give the state enough professors and at least a halfway decent salary scale and not a poor excuse for a junior college library set up as a modern library. Our library can fit into a corner of Duke's great library. . . . Is it necessary for us to be leeches and go to North Carolina for a decent education? . . . Library: The worst of any state university in America in modern material. If you do not believe it check for yourself and you will not have to check far. We understand that we have some fairly good old books, but who wants to live in the past all of the time and worship ancestors? . . . We are from South Carolina. There is not a halfway decent library in this state for modern research. If we wanted to know something about modern government we sure could not find it in this state. Gentlemen, if you had been more interested in government you would have known this years ago. There is no wonder we are backward in modern studies. . . .

The University of South Carolina is the only state university that is not endowed. All other universities have endowments to call upon in addition to appropriations from the legislature. We do not know of any record to show the University of South Carolina ever called upon its alumni to aid the University in developing any branch of its activities except athletics. . . .

We realize if the President finds out who we are we will be shipped. We have sworn secrecy. . . .

Yours for a modern university, a modern library, and a decent salary for professors so they will not be ashamed to meet their creditors. Please do not let us continue to be ashamed of our legislature and our University. We hope it makes each individual mad, then he will arouse himself from slumber.

SECRET COUNCIL OF THE UNIVERSITY
OF SOUTH CAROLINA

Columbia, South Carolina

A DANIEL COMES TO BAT

Sir:

You magazine editors are always too verbose. For instance, that lengthy title in the April issue: *There is No Communism in Russia*. I could write a head on that article in four words: *Dictated But Not Red*.

COPYREADER

Boston, Mass.

JAPANESE MILITARY TACTICS

Sir:

Ever since the Russo-Japanese War the military critics of America and Europe have watched with a sort of fascination the peregrinations of Clausewitz among the strategists of Nippon. In 1905 General Nogi had demonstrated to the keenly interested West that the Japanese army was thoroughly capable of putting into effect the Napoleonic "Battle of Maneuver" comprising: first, action of a covering force and strategic disembarkation (Tchinampo); second, action of a strategic advance guard (passage of the Yalu); third, attack on the enemy's line of communications (Mukden). Later on as eminent an authority as Marshal Foch was to point out that in these operations the Japanese general staff had proved its mastery of the principles of modern warfare.

Oland D. Russell's valuable article in your April issue shows us that the Japanese army of to-day is inclined to discount even the World War in its determination to hold fast to the lessons of 1904-05. Though Mr. Russell does not mention it, there is a very practical reason behind this particular fixation of the Japanese military mind. The reason lies of course in the tremendous developments in the mechanization of war which have taken place during the last decade. It is extremely unlikely that any first-class power will ever revert to the "warfare of position" which produced the stalemate on the Western Front and it is their recognition of the increasing importance of mobility in strategy and tactics rather than the worship of a victorious past that keeps the Japanese officers thumbing Clausewitz. These descendants of the samurai may be devotees of a cult of emperor worship but they are also hard-headed realists when it comes to applying the logic of battle.

CAPT. W. F. KERNAN

7th Field Artillery, Madison, Conn.

THE CONTRIBUTORS

SALLY BENSON, who hails from St. Louis, is now living in Connecticut, where she devotes a good deal of her time to writing. Many of her short stories and sketches have appeared in the *New Yorker*. Her first novel will be published this fall.

OLIVER CARLSON was born in Stockholm, Sweden, and was brought up in the town of Muskegon, Michigan. He did undergraduate work at the University of Michigan, spent three years in Europe studying the labor movement, and pursued advanced studies at the University of Berlin and the London School of Economics. During the years 1931-1933 he was Research Assistant in the Department of Political Science at the University of Chicago.

W. J. CASH lives in Boiling Springs, South Carolina. He has been at different times a newspaper man and an instructor in English. At present he is working on a book dealing with the psychology and sociology of the South.

JEROME W. EPHRAIM is the head of a manufacturing and technical service in New York, designed to supply consumers with a variety of products made and described according to the newer ideas of "buymanship." He is the author of *Consumer's Guide to Scientific Buying and Saving*.

WILLIAM FAULKNER, whose macabre novels of Southern degeneracy have won him a place in American letters beside Poe and Bierce, is a native of Mississippi. *Pylon*, reviewed in the April issue of *THE AMERICAN MERCURY*, is the latest of his long line of distinguished books, which includes *Soldier's Pay*, *Mosquitoes*, *Sartoris*, *The Sound and the Fury*, *As I Lay Dying*, the well-known *Sanctuary*, and *The Green Bough*, a book of poems.

WAYNE GARD has had wide experience as a journalist. He has been with the Associated Press, the *Chicago Daily News*, and the *Des Moines Register and Tribune*. At one time he was a college teacher of journalism. For the past

two years he has been doing newspaper work in Dallas, Texas.

CLAYTON HAMILTON has had a varied and successful career in New York as a playwright, author, editor, and lecturer. Among his plays are *The Stranger at the Inn*, *The Big Idea*, *Thirty Days*, and *The Better Understanding*—the latter three written in collaboration with A. E. Thomas. Since 1924 Mr. Hamilton has been associated in theatrical production with George C. Tyler, Mrs. Fiske, Norman Bel Geddes, and Walter Hampden.

IRVING KOLODIN is a music critic on the staff of the *New York Sun*. Recently he completed a history of the Metropolitan Opera House from its construction in 1883 down to the present day. It will be published sometime this fall.

MOREY STANLEY MOSK attended the University of Chicago and the University of Texas. He is a student of political science and constitutional law.

FRANCES C. LAMONT ROBBINS was literary editor of the *Outlook* during the years 1927-1931.

SELDEN RODMAN, one of the editors of *Common Sense*, graduated from Yale in 1931. As an undergraduate he was one of the founders and editors of the *Harkness Hoot*. He is the author of a book of verse *Mortal Triumph* and was coeditor of *A Challenge to the New Deal*, which appeared last year.

EDITH M. STERN graduated from Barnard College in 1922 and during the five years following was engaged in editorial work for various publishing houses. The past seven years she has devoted to lecturing on current books and writing magazine articles and book reviews.

L. A. G. STRONG, when he was at Oxford, during the latter years of the World War and the years immediately following, was a member of a brilliant group which included Aldous Huxley, Robert Nichols, Wilfred Childe, Robert Graves,

Richard Hughes, and Alan Porter. His literary career began with the publication of verses in Oxford papers and in the *Coterie*. His first novel, *Dewey Rides*, published in 1929, enjoyed an immediate success in England and America. *Corporal Tune*, his most recent novel, appeared in the fall of 1934.

H. E. TURNER enlisted in the Marine Corps shortly after graduating from Centenary College, Shreveport, Louisiana, in 1918. He served for seven months in the Army of Occupation. Upon receiving his honorable discharge, he taught school for a few months and then entered the government service as prohibition agent, prohibition inspector, and acting chief inspector in New Orleans. His *Notes of a Prohibition Agent* appeared in THE AMERICAN MERCURY in April, 1928.

JOSEPH N. ULMAN, Associate Judge of the Supreme Bench of Baltimore, was recently made chairman of a committee on prison labor ap-

pointed by the NIRA in accordance with an order from the President.

OSWALD GARRISON VILLARD has, for the past seventeen years, championed the liberals in the pages of the *Nation*, of which he is both editor and publisher. His books include *Germany Embattled*, *Newspapers and Newspaper Men*, and *The German Phoenix*.

KARL F. ZEISLER has been managing editor of the *Monroe Evening News*, Monroe, Michigan, since 1930. Prior to that he worked as a reporter on the staff of the International News Service and Universal Service in Denver and on the staff of the San Jose, California, *Mercury-Herald*.

LEN ZINBERG was born in Ithaca, New York, twenty-four years ago, but has lived most of his life in Manhattan. He attended the College of the City of New York for three years and since then has been doing clerical work and writing on the side.

ANNOUNCEMENT

THE AMERICAN MERCURY herewith offers \$500 for the best essay submitted by an undergraduate of any American college on the subject: "The Professors Got the Country Into This Mess: But We Can Get It Out." No sane man will deny the truth of the first part of the above statement—Washington, D. C., is today overrun with recently unemployed professors now embedded in the government payrolls. Every office holder is an LL.D., a Ph.D. or a D.D.S. and even the meanest stenographer boasts an M.A. Realizing that no one knows what a professor is trying to say or do as well as an undergraduate, THE AMERICAN MERCURY makes this appeal to the students of the nation for a solution to the difficulties into which their former teachers have sunk us almost beyond recall.

Furthermore, it is about time that the youth of the nation had something to say in the regulation of our affairs. The powers of government have been for too long in the palsied fingers of greybeards. THE AMERICAN MERCURY is perfectly willing to see the national government taken over by a competent student council and is prepared to support legislation toward that end. The boys certainly can do no worse than the oldsters have already done. Obviously, no man

should be allowed to assume the mantle of office until he is eighteen years of age; but, obviously also in the face of what now goes on, no man should be allowed to sport the mantle after he passes forty. If this were law today, the Senate would have sent Huey Long back to the canebrakes in 1933, and Senator Borah would have been quietly spraying Idaho potato bugs for, lo, these last thirty years. Who can deny but that the senior class at Harvard would comport itself with more dignity in the Senate than the present incumbency? A twenty-one-year-old president surrounded by a cabinet of the average age of twenty might get something done.

RULES GOVERNING THE COMPETITION

1. The best essay received prior to September 1, 1935, will win its author \$500. No paper received after midnight, August 31, will be considered.
2. No essay may be more than 2500 words in length.
3. MSS. should be addressed to Contest Editor, THE AMERICAN MERCURY, 730 Fifth Avenue, New York.
4. The judges, whose decision will be final, are H. L. Mencken, Laurence Stallings and Paul Palmer.



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CONCERTO IN D MINOR.

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When Edwin Fischer finally arrives for his belated appearance in America (in the flesh, that is) it will be something of an anticlimax. For the phonograph has made this pianist as well-known here, among those with an ear for conspicuous musical merit, as half a dozen concert tours combined. This fine work (probably Bach's most successful combination of solo instrument and orchestra) has long awaited such phonographic treatment as a pianist of Fischer's stature is qualified to give it. He has not only the strength to etch in the stern lines of this countenance, but also the delicacy to suggest its occasional smile. Few movements even in Bach have the dignity and stride of this concerto's *adagio*, expressed in tonal material of such conquering eloquence. And the two *allegro* movements frame it ideally. An anonymous orchestra and an equally anonymous conductor support Fischer admirably. Both the string and the piano tone are uncommonly well rendered.

DER ROSENKAVALIER (FINALE OF ACT 2).

By Richard Strauss.

Columbia (No. 9087-M)

\$1.50

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DER ZIGEUNERBARON (OVERTURE).

By Johann Strauss.

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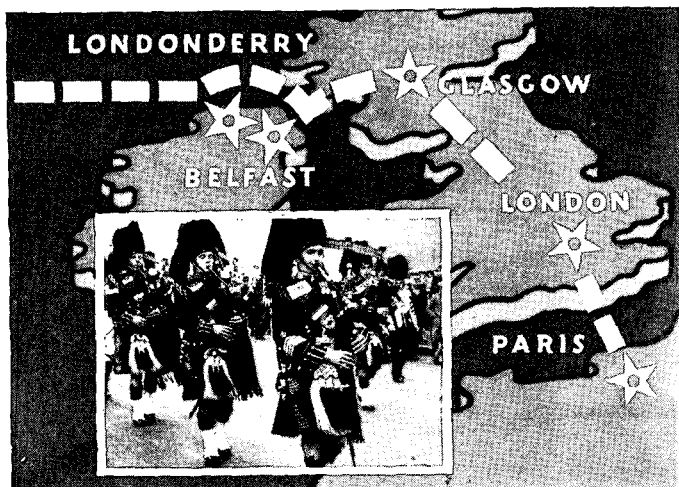
2 parts; 1 12-inch record New York

Music by the greater Strausses, each in a felicitous mood (a redundancy in the case of the peerless Johann). The *Rosenkavalier* excerpt profits by the superb Ochs of Richard Mayr, whose voice reproduces much better than it now sounds in the opera house; Anni Andrássy is not too good as the conspiring Anina. But this is decidedly an item for any Strauss collection. That goes, as well, for the *Gypsy Baron* overture, one of the master's best in the potpourri manner. Both are conducted with obvious gusto by Bruno Walter. The Kleiber version of the overture is more brilliant orchestrally, and somewhat less mannered in the conducting; but Walter's mastery of the Viennese three-four tradition (as local a technic as swing is to Harlem) gives this disc its own validity. The orchestras are good but unidentified.

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ALSO SPRACH ZARATHUSTRA.

By Richard Strauss.

R.C.A.-Victor (Nos. 8619-8623)

\$9

Camden, N. J.

9 parts; 5 12-inch records

After several years' appearance in the Victor catalogue with the notation "in preparation", *Zarathustra*, the last of the greater Strauss tone-poems to be recorded, finally is a phonographic reality this month. (A previous acoustical recording was unsatisfactory even by the primitive standards of its own day.) Though Dr. Serge Koussevitzky is not the conductor this reviewer would have chosen as the ideal interpreter (Mengelberg comes immediately to mind) the Boston Symphony he commands is a splendid band, and the combination does reasonable justice to the work. Certainly it is good enough to be desirable for music-lovers who are denied Strauss's digressions on a philosopher in the concert-hall. The recording is the best accomplished by this orchestra to date.

SYMPHONY No. 2 (*Resurrection*).

By Gustave Mahler.

R.C.A.-Victor (Nos. 11753-11763)

\$16.50

Camden, N. J.

22 parts; 11 12-inch records

The selection of this particular symphony as the first complete work of Mahler to be recorded in the United States will remain one of those mysteries to whose secrets only phonograph companies know the answer. Certainly the Second Symphony is less well-known than either the first, the fifth or the ninth and might well have waited until those three were available, especially as an older version of the *Resurrection* exists already. But Eugene Ormandy and the Minneapolis Orchestra no doubt had this work on their winter's schedule, and the commercial considerations involved probably explain the recording. Ormandy's contribution is intelligent and musicianly, and his orchestra is faithfully reproduced. A good set, if hardly *echt* Mahler.

DIVERTIMENTO (No. 17, in D. Koechel 334).

By W. A. Mozart. Columbia (Nos. 68267D-8-9)

\$4.50

New York

6 parts; 3 12-inch records

This is one of a score of charming works by Mozart in a sub-symphonic mould he chose to call *Divertimenti*, which permitted a considerable latitude in both their orchestral organization and formal extent. Sir Hamilton Harty and the London Philharmonic do an extremely tasteful job on these records, the music is Mozart at his super-terrestrial best. It is to be feared that Harty will one day be "discovered" by one of our symphonic entrepreneurs, and spoiled completely; thereafter such records as these will be the evidences of the man's rare gifts, his great warmth and refinement of feeling. The string tone is exceptionally well simulated.

—IRVING KOLODIN.



The NEW FICTION
Continued from front advertising
section, page vii

traits vanish, reappear, crystallize; poet's blood will always be babbling; and we are all blind men crossing a bridge, jostling each other stupidly on the way from birth to death. But "scum-clogging, tumid, viscid, unclean oozings, crystal urgency, love's burgeon" are dangerous phrases when multiplied by thousands, and make one think of Edward Marsh's remark about gravy masquerading as lava. From such a welter of words characters cannot come out recognizable, nor can any tangible sequence of events occur. For a writer less preoccupied with horrors, there would have been possibilities in the book—hearty country speech, scenes full of pitiful beauty and honest feeling, real suffering people. But all is feature-clouded, as Susan Miles might say, with obscene, sweet droppings of poetry undigest.

Prepared by Christina Stead's *Salzburg Tales* (not read, but read about) for a masterpiece, I was sadly disappointed in her *Seven Poor Men of Sydney* (Appleton-Century, \$2.50). The pioneers are seeping out in talk. The tropics have taken the well-known heart out of the Anglo-Saxon and put in a wagging tongue. But perhaps it is not only in Australia and to northern people that these things have happened. The pioneer is in trouble everywhere. Not everyone can substitute a test tube for a primeval forest, and men don't strap their axes on their backs, take their wives by the hand, and stride off for the frontiers of the soul. There is not much of a story to *Seven Poor Men of Sydney*. It, too, is a novel of atmosphere, the atmosphere of poverty, abnormality, disenchantment. Sydney as a setting is only vaguely communicated to the reader, although there are passages of loving description. The book is disorderly. These young Australians hail "Disorder, Lord of the Earth." Christina has a satiric touch for the addle-pated boss of the printing press where the *Seven* work, and for the exhibitionistic communism of the editors of the *Sydney Worker*. And she has a tender hand for the young mystic, the paralytic homosexual, the mad sister and brother, the Jewish artist afraid he cannot work as he pleases under proletarian rule. Drugged fantasy characterizes many passages. A fine bitter prose-hymn to Australia suffers from opium-dream confusion.

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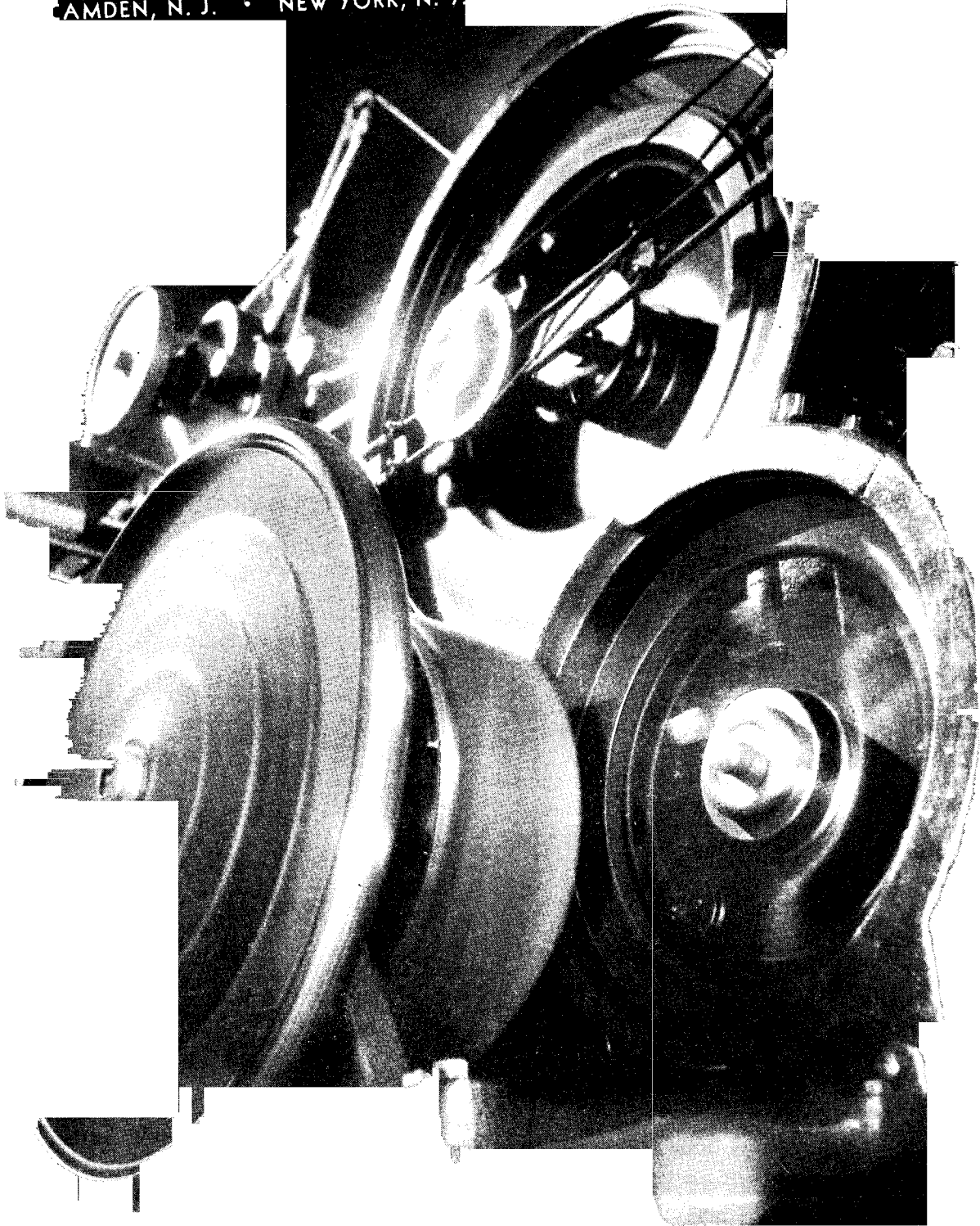
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Light From Arcturus, by Mildred Walker (Harcourt, Brace, \$2.50). It is the story of a woman's life in Nebraska during boom years and lean, with the bright lights on the quiet road coming from three fairs which mark turning points in her life—the Philadelphia Centennial, the World's Fair, and the Century of Progress Exposition. The story of married life, friendships, and devotion to children is well and easily told.

A chronicle novel in which the suggested theme—woman against war—is not sustained is *The Grass Grows Green*, by Hortense Lion (Houghton, Mifflin, \$2.50). Frieda Willmark and her brother came from Bavaria a hundred years ago to be New Yorkers. They were running away from war, but it outran them. Siegfried died fighting for the Union, and when the book ends an old, old German-American woman is watching her great-grandsons put on khaki to fight Germany. Apart from the undeveloped theme, the novel is a family story, the rise of immigrants to middle-class comfort and security, told against the background of a growing, changing city. The people are real enough, but the best of the book is its admirable recreation of old New York. In that the novel is a welcome contrast to the many which depend for their atmosphere of the past upon "Daisy, Daisy, give me your answer do," and how hard it is to get a bustle into a hansom.

Judgement Day, by James T. Farrell (Vanguard Press, \$2.50), is the end of Studs Lonigan, and a dreadful moral it points. Bad boys who haven't the guts to be gangsters die of boredom. I think this poignant, sordid, pitiful book, with its astonishingly economical characterizations and its uncomfortably real scenes, is the best of the Studs Lonigan books, and they are easy leaders in the hard-boiled school of fiction. Life bored Studs to death. His father's contracting business was suffering from the common ailment, so there wasn't much work for him; his heart was bad, so he had to lay off liquor; his friends were dying and falling away; his little brother knocked him out for a has-been; and the girls were all alike below the neck. I do not know of what all this is an indictment. I suspect all sorts of politico-economic implications; but the Lonigans do not look like good soldiers for the Social Revolution. Indeed a little Internationale with clenched fist raised would have done worlds of good to Studs. He wanted exaltation, and all his exaltations were of the earth, earthy. He was lost, a forlorn dreamer, this frightened little wastrel; looking, like any poet, for something beyond himself, something living and beautiful and warm; and finding death, brought on by sexual excitement at a burlesque show.

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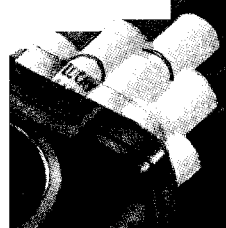
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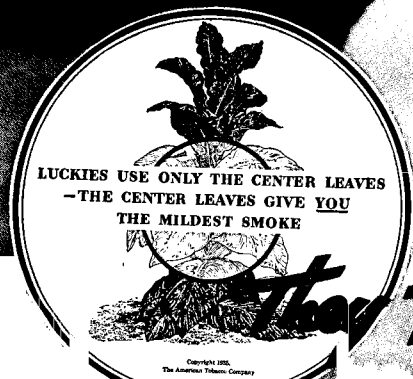
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